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Clio

Land Lessons

LAND LESSONS,
IRISH PARLIAMENTS,
AND
CONSTITUTIONAL CRITICISMS.

BY CLIO.

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"SALUS POPULI, LEX SUPREMA."

"It is useless to govern Ireland by laws made in England : the Irish people could be easily and happily governed by laws made at home."—CARLISLE, VICEROY, 1780.

"Robbery and taxes ever follow conquest ; the nation that loses her liberty, loses her revenues."—GRATTAN.

"When Government and the people quarrel, Government is generally in the wrong."—BURKE.

"Let military authority yield to civil power."

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Dedication.

"To those who, from superior energy and ability, can teach the people, we now address ourselves."—THOMAS DAVIS, *on Education*.

"Knowledge is not a shop for profit or sale, but a rich store-house for the glory of the Creator and *the relief of man's estate*."—BACON.



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PREFACE.

“Educate that you may be free.”

“My people are destroyed for lack of knowledge.”

MIND is the lever of all movement, language is the tool of thought, and “words are the wings of action.” Popular thinking power should consider the relations between Christian morality and practical politics, so that the intellectual independence of public opinion may force unjust legislation to assume the character of a moral preceptor. Salaried officialism and the virtually ruling part of society, must be compelled to study National interests. The Irish people should not be led astray by mere empty sounds, but seek the substance by the exercise of reason. The unyielding credence hitherto given to absurd delusions respecting public questions, slavish obedience to official omnipotence, and unsuspecting adoption of governmental measures, are simply the impositions of selfish justifiers, by the delusions of dishonest artifice or illegal coercion. The power of established custom is so great, that iniquitous practice and unconstitutional procedure are allowed and acknowledged, so political ignorance is the most effectual fortification to preserve irresponsible mismanagement. The neglect of early training, subsequent suppression, and general estrangement of all knowledge—save about business and pleasure—results in stupefying paralysis to the community in regard to practical political surroundings. Every man should be a self-improver, forming an immense school for the promotion of learning those things which affect their existence and prosperity. Oppressors clearly see the advantage of ignorance amongst the masses, because the less they are trained to think the more fitted are the people to be used as mere mechanical toys to provide money and subsistence for luxurious masters. The propagators of this political blasphemy are desirous to be considered the oracular depositaries of truth. It is the

duty of all classes to examine questions and call for evidence in regard to certain doctrines and usages which are directly opposed to public utility and the general good. To maintain this imposture and share the spoil, an immense system of expensive policy for jurisdiction and executive has been introduced, every agent of which is a devourer of taxation rather than a cultivator of usefulness. This legislative pretence is supported under certain forms so as to fright the people from demanding their natural rights and constitutional privilege. The intellectual despotism of usurping authorities, enforced an acquiescence in political suicide; an exterior show of submission was compelled by brute force. The moral power of conviction in the mind of the nation was checked by those who ruled in the interest of outsiders and swayed the administration to suit Anti-Irish Irishmen.

An inadequate apprehension of the rights and duties of government, coupled with the mental and material affluence of recognised governmentalsists, allowed National debasement and dishonour to supersede development and independence. Those astonishing effects being constitutionally regular in their recurrence, became as a matter of course, because the depressed masses never learnt how to inquire into the causes. The people of Ireland must practically debate questions affecting their own interests, and they ought to study the relations for good and evil of present circumstances with future results. Social and political institutions have not been framed to protect man from man, but rather to aid a contemptible minority. Those regulations are permitted to produce prosperity and intended as a protection, but are not employed as such in this country. The moral plague of selfish hardness, assisted by vitiated administrators, elevated revenue affairs, suppression of opinion and extensive extermination above the good of the commonwealth. Requirement and prohibition were invariably exercised in favour of the few, leaving out of account the great fact that a National community should be allowed existence only for the good of all its parts. But the almost universal disposition of human nature to work advantages of station, fortune, and

education into privileges, has been allowed full sway in Ireland. Political science amongst imported and native Coercionists, apparently never comprehended a system which should be able to govern the Irish Nation upon the principles of liberty. Centuries of experience have not corrected mischievous maxims, nor cured corrupt, imperfect theories. Land acquisition, plunder, power, dominion and markets were the object of foreign centralising imperialism. The incurable evils of provincial government are everywhere abundant by extortion, rapacity, ascendancy and subjugation. But the day is dawning when those dark shades of gloom shall be replaced by a free, popular government, which shall give to enfranchised enlightened citizens an interest in its preservation. The stability of rulers requires, that those who desire the continuance of government in its present shape *must* be more powerful than those who desire its dissolution. The time of unquestioning submission has passed away. The population of Ireland, their relatives, fellow countrymen and sympathisers in England, Scotland, America, Australia, Canada, and every quarter of the globe, have at last acquired some sense of their strength and importance. The bond of hostile sentiment to public good, which binds the governing minority in the opposition to the majority, must soon give way. The state would have the Irish Race believe that the sovereign expedient for National welfare is spoliation, double taxation, coercion, and extermination. What fools they imagine the populace must be! But how devoid of sense is that authority, living on stipends, which would educate a multitude of its earners to believe in self-destruction, exile, slavery and poverty. When what are now called the subordinate classes know and pursue their individual welfare, and combine to act their part manfully and honestly as members of state: when they question the right adjustment of their condition in the body politic and its social confrère: when the discipline of political training opens their eyes to the strife of interests, which is the animating principle of upper class political charlatanism: when the people make their moral power felt, by passive resistance, or, as a last resort, if necessary, by a

movement of, rude force,* to obtain their rational rights, then mere consumers shall be compelled to grant producers the fruits of labour : then also the great mass of the working commonwealth shall begin to think and come to the conviction that they are the physical agency of community, operators, preparers, and labourers for the wants of mankind, and that although essential to the existence of societies, yet their condition is disposed by manipulators, their importance minimised, manual employment discouraged, its followers degraded, and their work insufficiently remunerated. Then *quasi* economists will find empty words are not a barrier against national demand, founded on propriety, conscience, and education ; superstitious loyalty must yield to common sense. The commanding and absorbing portions of state craft shall concede to the workers their just rights. The existence of persistent, determined will, political reformation, and the business of thinking introduced amongst persons in general, combined with co-operative, continuous organisation, shall enable the formation of that aggregation constituted under political shape and authority, denominated a state, to be governed by a native, sympathetic, fostering legislature. Political equality without equality of opportunities is a mischievous fraud. The Imperial Parliament, for the past eighty-five years, has failed to govern Ireland with the British Constitution. The so-called Irish M.P.'s represented Great Britain in Ireland, not the Irish people. Even the *bona fide* Irish members, elected by the extended franchise, have not equal opportunities to carry out the wishes of their constituency. They are overborne by English, Scotch, and Welsh members. The Irish people, to use votes in their own interest, must be sufficiently educated in matters social and political ; they should have enough leisure to educate themselves and teach their fellows ; they would also require a certain amount of independence from labouring servility to record their wishes, without that intimidation which all employers can exercise. The

* " Moral power is nothing unless there is physical force to back it."
—Duke of Cambridge, February 13th, 1886.

enormous leverage of education—leisure and wealth—has hitherto rendered Parliament a law and order machine to register the commands of privilege, and constitutionally manufacture the enrichment of the possessing minority. The social evils of money accumulation by the few, and of distressing misery amongst the many, have been mainly engendered through the systematic action of monopolising legislators and the unfair pressure of indirect taxation, which is principally absorbed by the non-working classes. A peaceful settlement can only be obtained by democratic parliaments, whose function it must be to study the common weal. Public opinion, which should be the breath of the law, declares for the restoration of our exiled Parliament. Political freedom is an empty boon if reality be denied, simply to preserve the form of an effete *regime*, doomed, decaying and disorganised. The Irish people must steadily face the powers of despotic fanaticism, possessing minorities, and ambitious absorbers.

Malignant misrepresentation must not prevent severe study of political problems, which tends to make better men and more instructed citizens. Kindness propitiates even the animal creation. Contempt and coercion are the arguments of those who substitute passion for reason and prejudice for truth. Every Irishman should condemn injustice, abstain from crime, efficiently work in his sphere of life, and adopt the Pythagorean maxim "*to reverence himself*," notwithstanding the moral weakness which is the characteristic disease of political vilifiers. Freedom is nurtured in hardships, if not born of bloodshed. The natural faculties of men are stimulated by the exercises of danger and distress. The training of opposition must lead to victory, for as Burke said—

"Difficulty is a severe instructor, set over us by the supreme ordinance of a parental guardian and instructor, who knows us better than we know ourselves, as He loves us better too. He that wrestles with us strengthens our nerves and sharpens our skill, our antagonist is thus our helper."



LAND LESSONS, IRISH PARLIAMENTS, AND CONSTITUTIONAL CRITICISMS.

CHAPTER I.

PRELIMINARY PRINCIPLES.

“Say as you think and speak it from your souls.”

AMONGST the ruling tenets of the section who now possess power is that which prevents a close inspection into fundamental authorities and conventional credentials. Numberless evasive outlets have been relied on to carry out this principle in practice. When public opinion declares for reform, the weapons of rational argument are abandoned by the partisans of the threatened ascendancy, and the more tangible resources of bribery, coercion, persecution, lying and brute force are used to maintain the *status quo*. This is especially true of Ireland. Advantage has been taken of Irish disorganisation caused by the collision of human interests with inhuman power. The policy of alien absorption has at all times actuated the proceedings of British parliamentarians in respect to Ireland. Restricted representation, returning Mammon, resulting in purely class legislation, has propped up a system destructive of all things, common to a nation, by strictly legal means. Until the Irish Parliamentary party representing nearly the whole nation, compelled attention, so far as this country was concerned, foreign parliamentarians ignored all the vital principles of human progress, passing laws to govern Ireland which denied freedom, independence, wealth, prosperity, or knowledge to the great bulk of Irishmen. Party passions, racial hate, and religious animosity were encouraged. Military licence, official hypocrisy, administrative omnipotence, and partisan administration of justice have always characterised the control of this country as carried on by the Lords Deputies, the Lords Justices, and the Lord Lieutenants

sent over from England to extract supplies out of Ireland. Thus acute suffering and violent disorders became chronic. Affairs were carried on by secret, malefic influence, concealed under the surface of what was facetiously termed constitutional government. This state of things was preserved by the ignorance of the multitude, which is the natural mother of civil degradation. A distant misinformed parliament was strong and cruel in the assertion of its power, and its imported administrators were judicially irresponsible and fiercely despotic. It serves no useful purpose to indulge in historical recriminations, but it is necessary to search out the reality of causes and events. "Our interest lies so much with the past as may serve to guide our actions in the present, and with so much of the future as we may hope will be affected by our actions now." Ireland is, unfortunately, suffering from the remoter but almost fatal effects of former mistakes. An ignorant jurisdiction and the fact of the seat of government being in a strange, unsympathetic country originated imperfect laws and sowed broadcast commercial jealousies. Unjust rights and privileges were assumed, and would not be relinquished for the common good. The national resources having been seized, and with them the power to enforce those presumptuous assumptions, it is now formally stated by sophistical dogmatists that prescription or lapse of time fixes the right without regard to the manner of acquisition. The class who benefit socially, financially, officially and politically by this questionable philosophy are theoretically guided by habits and maxims which suit their personal interests. They decline to revert to primary laws and original foundations or to consult the dictates of reason. Corruption, prejudice, and bad habits have given a dangerous immunity to the dissemination of injurious usurpations which are allowed to pass as law, through want of knowledge, apathy, and popular fallacy. Freedom is the heritage of a nation. Rotten borough members were not competent to sell or part with national property, and this is specially to be insisted on in the case of a country like Ireland, which can boast of undeniable self-government.

The desire and end of every Christian Constitution should be the welfare and dignity of its people, and the stability and greatness of the state. Salaried English Statesmen, and their paid garrison, imagine they compliment Irish taxpayers by condescending to govern Ireland upon the principle that the greatness of the State is more imperative than the welfare of the people. This pernicious doctrine has, undoubtedly, been carried into effect, but the Irish race at home and abroad are now determined that the Christian constitutional principle of National well-being shall be inaugurated, the false echo of disintegration cannot hinder capable citizens from asserting their rights, land, labour and liberty, dignity, commerce, and culture should be within the grasp of every honest hand. The realm was secured against weakness and instability during the last Irish Parliament. Eighty-five years' chaotic destruction seems to have blotted out remembrance of the motto, "Peace hath her victories as well as War," for within that period of self-government, Ireland prospered, and was at the same time a faithful ally of Great Britain, until Pitt manufactured his governmental rebellion to carry the Union. Statesmen are wont to think that foreign embroilments take precedence of domestic disturbances, they should set their home in order before they go abroad; millions of capable electors will soon manifest where their most immediate interests lie. Slaughtering savages, bondholders butchering, and Commander Cotton's commercial conquests may be very profitable to pocketing plutocrats, who stay at their firesides. Query if those immoral, expensive expeditions are pleasing to grumbling taxpayers and unemployed labourers. Representative government appears at present to exercise no authority whatever in the foreign policy which is altogether in the hands of those who happen to be in power, directed by militaryism: to whom the nation pays the war bills. The House of Commons is notoriously unable to perform its duties satisfactorily: local self-government is in the air, but only in the clouds. The Colonies are supposed to be subject to that great integral authority, which claims to be the most truly representative government in existence, yet the Colonies

are *not* represented in the councils of the realm. The Constitutional machinery of the Empire sadly needs repair; it is gradually growing unworkable from bursting overpressure, rusty bureaucracy, and confused centralization. The greatest empires have been ruined by similar causes; yet, when Irishmen sensibly point to history and to the immediate events of their own country, they are denounced as traitorous rebels. Most Englishmen appear to ignore the voluntary federation of Norway and Sweden, the German Empire, the United States, Austria-Hungary, Switzerland, their own Australian Colonies, Canada, Jersey, Guernsey, and the Isle of Man.

Ireland as an island nation is clearly entitled to a native resident legislature. A people creates the government; citizens have a perfect right to control the pretensions of the State when its conduct and tendency has been directed against general utility. The Governmental system which lags behind its people must inevitably be dragged up to the National standard. This natural result would have been arrived at long since in Ireland, but that representatives, administration, executive and alien governmentals were anything but a reflex of the individuals comprising the nation. The thinking and working of generations of true Irishmen is only now beginning to fructify; the pen is destroying the sword, blood and iron combinations are being dissolved by the burning words of earnest men. Rules of procedure will not stem the torrent of public opinion, which is greater than ministers or kings. "Words, idle words," put into a Sovereign's speech, may place Royalty in a false position, if unconstitutional threats are used to terrorize the House of Commons, for as the brilliant Irishman, Sheridan, laid down: "The King of England is not seated on a solitary eminence of power; on the contrary, he sees his equals in the co-existing branches of the legislature, and he recognises his superior in the law." There is no such reality as unalterable fundamental law, all laws are subject to change or repeal when the House of Commons so chooses. Hall declares "the independence of the House of Commons is *the column upon which the whole fabric of our liberty rests.*" The

House of Commons should be the mouthpiece of the people in whom are deposited the supreme power. Long ago in troubled times, Milton wrote: "The power of kings and magistrates was and is originally the people's, and by them conferred, in trust only, to be employed to the common peace and benefit, with liberty, therefore, and right remaining in them to re-assume to themselves if it be abused, or to dispose of it, by any alteration as they shall judge most conducing to the public good."

The Irish people desire to re-assume the inalienable power and right of self-government; they now demand its restitution as most conducing to the public good. History distinctly tells us that Ireland always ranked as a nation, but since the baneful Union, unhappy Erin has been a living illustration of Lammenais's comment: "When you see a people loaded with irons and delivered to the executioner, be not hasty to say this people is an unruly people that would trouble the earth, for peradventure it is a martyred people which suffers for the salvation of humanity."

EARLY LIGHT.

"Deeds never die."

WHEN in the cause of saving religion St. Patrick landed in Ireland, over fourteen hundred years ago, he found the Irish Pagans cultured islanders, foremost in existing arts beyond their surrounding compeers. The poets, historians, and Ollamhs, or doctors, held an elevated rank, and were specially protected in person and property. Druids, Brehons, Files, Bards and Physicians were almost hereditary privileged professions. Brehonic laws were in force, providing a code for the punishment of crime, and arranging succession by a tanistry decree, which was a strange compound of hereditary and elective principles, but wisely did not disturb property or people. Music was cultivated. M'Geoghegan said the office of master to the king was instituted in the third century.

Cambrensis later on testifies "the skill of the Irish in music is incomparably superior to that of any nation I have seen;" and Warton, in his History of English Poetry, quotes, "Even so late as the eleventh century, the practice was continued among the Welsh Bards of receiving instructions in the Bardic profession in Ireland,"—the harp being the National instrument of Ireland and Wales. The whole country embraced Christianity, without a martyr, the love of learning and peace became usual, churches and schools covered the land, architecture progressed, as can be judged from round towers, sepulchres, dome roofed houses composed of stones without cement in the Pelasgic fashions, ancient oratories simple but beautiful like that of Gallerius, olden monasteries as Arran, Innismurray, Erris and High Island. Those are evidences of gradual improvement in architectural taste and experience during the ages of Paganism and Christianity, advancing from the rude stone fortress to the delicate designs of Cong Abbey. Ireland was known as the Island of Saints and learned men. England, Scotland, and Continental nations sent thousands of pupils to Erin. Venerable Bede relates: "Thither came pilgrims, in search of learning, from the forests of Germany, from the cities of the North, as well as from England and Scotland." Camden writes: "At that age our Anglo-Saxons repaired on all sides to Ireland as a general mart of learning." Eric of Auxerre wrote in the ninth century: "Ireland, despising the dangers of the deep, is migrating with almost her whole train of philosophers, to our coasts." Thierry declared that "the poetry and literature of ancient Ireland was the most cultivated, perhaps, of all Western Europe." The poet Spenser acknowledged: "It is certain that Ireland hath had the use of letters very anciently and *long before England*. The Saxons are said to have their letters, learning and learned men from the Irish, for the Saxon character is the same as the Irish." Lacroix, in Science and Literature in the Middle Ages, testifies: "The Irish scholars were among the most distinguished men in Europe; their schools were flocked to by scholars from all parts; their monasteries were densely populated with students, and their country was

the very Athens of the age." Mosheim, in Ecclesiastical History, gives credit to "the Hibernians as the first teachers of scholastic theology in Europe." Dr. O'Donovan studiously teaches—"Joannes Erigena, or John of Erin, is admitted by the most competent authorities to have been the founder of the mystic doctrine. It thus appears that the two great systems of theology originated in the Irish schools." Such historical facts are often denied, because, as Dr. Reeves points out, "The merit of the teacher has been transferred to the disciple, and so a great obstruction is placed in the way of acquaintance with Irish manuscripts: the Irish scholar often neglecting to examine them because they are called Saxon, and the English to consult them because unable."

In Ireland Todd, O'Donovan, and O'Curry have edited with much learning and industry; on the Continent to Zeuss belongs the honour of having exhumed and printed the oldest known specimens of the Celtic language. He was in a measure favoured by being able to visit the Monasteries of Austria, Switzerland, Germany, and the Libraries of Milan, where those treasures lie; but it would take one thousand large octavos to issue properly this buried literature. Berington in Literary History of the Middle Ages states: "It is sufficient praise for Ireland that she sent out teachers by whose industry the general cause of knowledge was promoted. The Protestant Bishop of Lincoln, Dr. Wordsworth, stated to his clergy: "Centuries ago Ireland was the burning and shining light of Western Christendom. In sacred and other learning she was in advance of England; the sons of our nobles and gentry were sent TO IRELAND FOR EDUCATION; a great part of England owes its Christianity to Irish Missioners from the school of St. Columba in Iona."

About the end of the seventh century, Alfred, King of the Northumbrian Saxons, was expelled from his own country, and found a sanctuary in "The Land of the Loving Heart." John O'Donovan literally translates the exiled monarch's verses thus:—

I found in the fair Innisfail,
In Ireland, while in exile,
Many women, no silly crowd,
Many laics, many clerics.

I found in each province,
Of the five provinces of Ireland,
Both in church and state,
Much of food—much of raiment.

I found gold and silver,
I found honey and wheat,
I found affection with the people of God ;
I found banquets and cities.

I found in Armagh the splendid,
Meekness, wisdom, circumspection,
Fasting in obedience to the Son of God,
Noble prosperous Sages.

I found in each great church,
Whether internal, on shore or island,
Learning wisdom, devotion to God,
Holy welcome and protection.

I found the lay monks,
Of alms the active advocates—
And in proper order with them
The Scriptures without corruption.

I found in Munster without prohibition
Kings, Queens, and Royal Bards
In every species of poetry well skilled—
Happiness, comfort, pleasure.

I found in Conact, famed for justice,
Affluence, milk in full abundance,
Hospitality, lasting vigour, fame,
In this territory of Croghan of heroes.

I found in the country of Connall [Tirconnell]
Brave, victorious heroes,
Fierce men, of fair complexion,
The highest stars of Ireland.

I found in the province of Ulster
Long-blooming beauty—hereditary vigour—
Young scions of energy,
Though fair, yet fit for war. and brave.

I found in the territory of Boyle
[M.S. effaced]

Brehons' Erenachs' palaces,
Good military weapons, active horsemen.

I found in the fair-surfaced Leinster
From Dublin to Sleivmargy,
Long living men, health, prosperity,
Bravery, hardihood, and traffic.

I found from Ard to Gle,
In the rich country of Ossory,
Sweet fruit, strict jurisdiction,
Men of truth, chess-playing.

I found in the great fortress of Meath
Valour, hospitality, and truth,
Bravery, purity, and mirth—
The protection of all Ireland.

I found the aged of strict morals,
The historians recording truth—
Each good, each benefit, that I have sung
In Ireland I have seen.

This is the testimony of a British kingly visitor, on Home Rule in Ireland 1,200 years ago. As to foreign labours, Dr. Wattenbach, in his tract on the Irish Monasteries in Germany, narrates, "The Irish Monks evangelised the nations; they first supplied the defect in the organisation of Christian society, which arose with the development of cities; for until their time monasteries had been founded only in the solitude of the country, excepting such as were attached to episcopal seats."

Augustin Thierry, the French historian, bears willing testimony to the popularity of Irish missionary pilgrims and scholars, who resorted to the Continent, "who always gained the hearts of those whom they visited by the extreme ease with which they conformed to their customs and ways of life." They were the exact contrast of Danish Colonizers and British civilizers in Ireland. The poor monks asked for nothing but a small plot of ground to form a hut encampment. But wise rulers desirous of educational improvement and religious teaching, often granted the pious learned settlers considerable allotments; the

whole country of Glarus was given to St. Fridolin. Charles le Gros made a present of Mount St. Victor to the monastery of St. Gall, and more than one island in the Rhine belonged to the Irish monks. So for many centuries Ireland preserved her position as the leading nation in religion, laws, arts, and architecture. Although the Danes made it their special care to "tear, burn, and drown all books and manuscripts, which came into their hands," and to pillage and destroy monasteries, colleges, and schools, the records, annals, manuscripts, books, such as the Book of Kells, and many illuminated specimens, clearly show the fruitful labours of the early Irish *in epic and historic literature*. The flint weapons, javelins, and spear heads of bronze, smith's armoury, and works in precious metals, gradually improved in workmanship. Shields, goblets, torques, gold rings, circlets, brooches, and various works of art, can be seen in the Irish Academy, evidencing the gradual advance of skilled labour in conjunction with art. The cloistered ruins which have survived the Iconoclastic fury of Dane, Saxon, and Norman, are standing evidence of Irish civilization, when National rulers guided the nation. The German, Pict, Cimbri, Frank, Italian, Celt, and Saxon, sought and received instructions, and often generous hospitality in Athenry, Sligo, Cong, Clare-Galway, Killconnell, Lindisfarne, Iona, Monasterevan, Monasterboice, Mellifont, Roscommon, Lismore, Armagh, Muckross, Bangor, Dunbrodie, Clonmacnoise, Glendalough, Bective, the Rock of Cashel, Clonard, and many lesser luminaries, whose light has faded in the distance of time, or have been obscured by overthrow. But the Irish monks did not confine themselves to their native land; they established houses abroad—in Scotland, 13; England, 12; France, 7; Gaul, 12; Lotharingia, 11; Burgundy, 11; Belgium, 9; Alsatia, 10; Bavaria, 16; Italy, 6; and in Rhetia, Helvetia, and Servia, 15; besides many smaller establishments.

As a consequence, the number of Irish saints who are patrons all over Europe, incontestably prove the labours of Irishmen as scholars and pietists. Germany has 152; France, 47; Belgium, 30; Italy, 13; Iceland, 9. Nearer

home, Scotland has 76; England, 44; and the Isle of Man, 6. Truly did St. Bernard write in the eleventh century: "Swarms of holy men were sent forth by Ireland throughout the entire of Europe to preach the gospel of peace, and bring salvation to all. They were the true soldiers of the cross, who bore on faith's bright flag, unfurled Erin's name throughout the world." Yet the motive that is said to have induced Adrian IV. (the only English Pope) to give his sanction to the conquest of Ireland was that it might be christianised. The authenticity of the document is questioned, Ireland, the university and schoolmistress of Western Europe, was given away to devastating civilizers. Milman says: "English pride might mingle with sacerdotal ambition in this boon of a new kingdom to his native sovereign. The language of the grant developed principles as yet unheard in Christendom." In 1177 Cardinal Vivian, legate of Pope Alexander III., encouraged and exhorted M'Donlevey, King of Dalriada, to defend his territories against De Courcy, an Anglo-Norman adventurer. So succeeding Papal authorities seem to have regarded the grant of Ireland in a curious light. The Bull may have been obtained by suppressions, exaggerations; slander, and calumny, means which are constantly utilized to aid oppressive rulers in Ireland. An Erring-son lately endeavoured "to keep the Vatican in good humour," and re-dispose the spiritual interests of Irish Catholics, to the tender keeping of non-Catholic Veto-ists. The accomplishment of that cunning division would be to-day scarcely less disastrous than former interference, but Providence guided the councils of the Holy Father, and defeated the machinations of those who would "divide and conquer."

GOVERNMENTAL GROWTHS.

"The Earth is sick of chains."—R. D. WILLIAMS.

"The lesson which I have learnt from the past history of my country is, that the great and first danger an Irishman has to avoid is the danger of division."—JOHN DILLON.

It is well ascertained through biblical and secular history, and transmitted traditions, that parental authority was originally the governing power, even unto despotism and slavery. It must, however, be remembered that its absolute control was largely counterbalanced by natural affection. Though all forms of Governments claim and exercisedominion over life, liberty, and prosperity, yet in the course of ages, the primitive idea of paternal kindness has been almost entirely eliminated from the first principles of Government. Slavery became a great legal institution, because might conferred the right, and ignorance disorganization; traditional example, and early training, made the enormous majority complying bondsmen to the whims and whips of a ruling minority. Such public opinion as existed recognised the principle: so human slavery lived as a Christian institution until the last generation, even within the English Empire, and later still in what was called a free republic in the Southern States of America. Giraldus Cambrensis recording the Synod of Armagh, 1170, relates: "There prevailed in England a barbarous custom of selling children as slaves, and the Irish were the principal purchasers. The Irish clergy at the Synod pronounced the custom to be so wicked that the English invasion was a judgment in consequence, and decreed that any English slaves should immediately be set free." Thus an Irish deliberative assembly humanely met the unmerited invasion, and deliberate persecution then begun, and continued ever since in Ireland. It is necessary to revert to these facts, as showing the imperative need of being guided by principle, rather than the theories of half-hearted philanthropists. In course of time parental authority became merged into patriarchal tribes, whose conduct was regulated by custom rather than definite

law. Permanent Government arose, and Royalty was chosen as a central authority. When the twelve tribes of Israel demanded a Sovereign, we read in Holy Writ:—

“And Samuel told all the words of the Lord unto the people that asked of him a king.

“And he said: ‘This will be the manner of the King that shall reign over you. He will take your sons, and appoint them for himself, for his chariots, and to be his horsemen; and some shall run before his chariots.

“‘And he will take the tenth of your seed and of your vineyards, and give to his officers and to his servants.

“‘And he will take your men-servants, and your maid-servants, and your goodliest young men, and your asses, and put them to his work.

“‘And he will appoint him captains over thousands, and captains over fifties, and will set them to ear His ground and to reap his harvest, and to make his instruments of war and instruments of his chariots.

“‘And he will take your daughters to be confectionaries, and to be cooks and to be bakers.

“‘And he will take your fields and your vineyards and your olive yards, even the best of them, and give them to his servants.

“‘And ye shall cry out in that day because of your King which ye shall have chosen you; and the Lord will not hear you in that day.’

“And all the people said unto Samuel, ‘Pray for thy servants unto the Lord thy God that we die not, for we have added unto our sins this evil—to ask a king.’”—
SAMUEL.

The evils of Kingships were the ruin of Ireland, as no really controlling power existed. The Celtic tribal clans were not wiser than the Israelites, for they had many monarchs—Ulster, Munster, Leinster, Connaught, Meath, and many other districts, boasted of kings, princes, and chieftains. Kings and sub-kings, by the division of authority and the internal dissensions, caused anarchy. A supreme King was supposed to be crowned on the Liafail at Tara, but the supremacy was nominal; the curse of jealous limited dominion kept the country in

perpetual feuds and wars, but it was the same all over Europe. The Italian cities, French kingdom, and Saxon heptarchy, were just as murderous as the Irish pentarchy. However, regal personages were not like the overpaid and underworked Royal Highnesses of Mammon, they led their clans in battle, and shared the spoil amongst their brethren, or, what are now called subjects.

The introduction of King Money has changed the procedure, with a more galling result to the mere worker. Family protection and division of spoil with the clansman has given way to wage servitude, legal monopolies in land, money and railways. Taxes enrich the wealthy who obtain nearly all the emoluments, and impoverish the poor, who pay the greater portion of the revenue through indirect taxation; those things are so cleverly manipulated that social sanction seems to say we are released from the serfdom of Teutonic feudalism to rejoice in the pauperising freedom of stagnant constitutionalism. Practical wisdom teaches that safety is ensured by steady progress, moving gradually with the forces of society. The ancient Irish appear to have been more impressed with the necessity of jurisprudential motion than the modern British unionist.

About the year 440 the Pagan laws of Ireland were revised and the Seanchus Mor compiled. Fragments of the original MS. are still to be seen in Trinity College and in the British Museum.

This Christian Constitution of Ireland, it is said, was approved of by St. Patrick. Certain Pagan observances were struck out, but the Brehonic usage of partial popular election ran through the whole system from the King almost to the gallowglass. Honours were also bestowed at an early period. Froissart chronicles that when four Irish kings were offered knighthood by Richard, King of England, they declined, as it had already been conferred on them at home. The Kings choose their Ard-Ri or titular supreme monarch; nearly every man in the clan is supposed to have had a voice in appointing their existing official executive. National statute laws were discussed and enacted at Tara. It is duly recorded that St. Columba assisted at a conference meeting or

Parliament assembled at Drimciat Limavady, where several important legislative measures were determined on by the state or King; and the noble representatives of the clans of Ireland. St. Adamnan, had the "lex innocentium," protecting women and children against the barbarities of war, passed in an assembly held at the Rath of the Synods on Tara Hill. After the death of Brian Boru, who appears to have exercised some authority in collecting the Irish forces to defeat the Danes, civil war became chronic between kings, princes, and chiefs. It is useless to plunge into those puzzling fatalities. The whole nation seems to have gone mad like all the rest of the world at the time. Inquiring into such suicidal quarrels would exemplify Holy Writ, "He that increaseth knowledge, increaseth sorrow." The nation was ruined by division, and weakened by incessant fighting. Practical unity was unknown, and stable centralized authority unsupported. First Strongbow, next Henry took advantage of general disunion.

Nominally there was held a sort of Parliament at Tara, where the Kings as Lords, and Nobles as Commons, met in Council. This assembly was called together in 1169, perhaps for the last time, by Roderick O'Connor, King, paramount, of Ireland, to discuss the best means of quelling the disturbance, begun by Dermot M'Morrough, followed by the invasion of his English allies. The prince of Thomond refused allegiance to the Ard-Ri, and commenced civil war to aid the foreigners. Henry came, and wily diplomacy succeeded warfare. The split-up factions of foolish chiefs and kings only anxious for personal ambition, sacrificed the Irish nation to the land-grabbing stranger.

LAND.

THE CREATOR'S GIFT FOR MAN'S SUSTENANCE.

It would be futile to attempt an understanding of what was named government in Ireland, until an explanation of the motive is arrived at, by considering land possession. It is obvious that at all times those who controlled the soil, governed the state, made the laws, interpreted them, and guided their administration.

From this point of view it will be instructively useful, briefly to analyse the position of landholders, as warranted by Divine law, guaranteed through human legislation, and enforced by military domination, rather than the moral suasion of Christian civilization.

COMMON LAND.

“The Earth is the Lord's.”

In the beginning God created the world for the children of men. He blessed our first parents, saying—“Increase and multiply, and fill the earth, and subdue and rule over the fishes of the sea, and the fowls of the air, and all living things that move upon the earth.”

In the history of the Creation, the Bible does not record anything relating to the sacred rights of private property in land, privileged ownership, game laws, foreshore rights, or royalties; nor does it appear there was any Divine law sanctioning the inhuman theory of overpopulation—mankind increased in numbers, but not in virtue, the Deluge was ordained, Cain's progeny was destroyed, the true church continued in Noe, his immediate generations enjoyed all things in common, so that communism was the social order in the earliest stages of human existence. Erroneous decisions passed every day, untrue persuasions hourly inculcated, and habitual opinions of early mental training warp current judgments, and cloud the clear dry light of intellect. The animal nature of the body is principally exercised, whilst the mind is allowed to rot in uncultivated darkness, because blindness to prin-

ciples ensures the success of misrepresentation, which is the foundation of monopolizing power and privilege.

The Mosaic Constitution nationalized the Canaan land, the title was vested in the head of the State, as trustee for the people. The soil was subdivided and apportioned amongst the families of the tribes; the heiresses were obliged to marry in their own family to prevent a confusion of inheritances. If they wished to renounce their right, they could marry where they pleased (a similar law prevailed in Athens). All transfers between the people were limited in term. All real estate contracts were vacated at the end of every 50 years. "When the jubilee of the children of Israel is come, then shall their inheritance be added to that of the tribe in which they are received." By means of this periodic redistribution, each family was restored to its share in the soil, which lapsed back from the individuals to the commune. Land monopoly was impossible under the Christianised Hebrew polity. When our Lord came on the earth He was born in a manger—worked with His paternal protector as a carpenter in the family commune of Nazareth. When He appeared in public to save the world He took for His disciples twelve landless fishermen; the first Christians gave up their share in family possessions and followed Him.

"And all that believed were together, and had all things common, and they sold their possessions and parted them to all, according as any man had need."

Through the dark and middle ages, and even in the present day, religious communities hold their possessions as common property. This holding of gifts and power as a trust for common service, is a perpetuation of Christian Essenism, which is slightly studied and seldom resolved into first principles, for "if Christianity were taught and understood, in conformity to the spirit of its Founder, the existing social organisation should not last a day."

The primitive practice of common property was most faithfully adhered to by the Slavic races; but an almost similar form can be traced in Asia. Some specialists apparently prove that many original types of private pro-

erty, amongst the Romans and Germans, have been derived from the stated methods of common property in India. Owing to Imperialism in Rome, land partly passed into private property. The Patricians encroached upon the common lands of the State, the vicious nobles corrupted the commonwealth—the state followed its leading men—the free farm life of Italy was broken up—vast estates swallowed up industrial tenant farmers. Dispossessed cultivators swarmed the imperial city. Pauperism became so alarming and general, that it was absolutely necessary to organise an immense system of state alms to relieve distress and prevent revolution. This happened during the aristocratic empire. In the golden age of the Republic, B.C. 150, the necessities of life were very cheap. A bushel of wheat sold for four pence, and a bushel of corn for five. The traveller was charged for food and lodgings only two farthings per day. This overflowing plentifulness abounded before *Pagan patrician* land monopoly revolutionised the social system. Tacitus, speaking of the Christians, calls them—*Vulgus Christianus appellabat*," the vulgar or common people called them Christians. The early Christians preached and practised charity, and loved their neighbours; being opposed in principle to governmental rapine they were persecuted. Subsequently Christianity coalesced with authority when Constantine became a convert; governmental abuses and social injustice were quietly borne, as the force of Christianity in favour of the weak and powerless was, to a certain extent, neutralised by this union. Christ said, "My kingdom is not of this world." Rulers did not deem it their mission to endeavour the removal of human slavery and misery; protection of privilege and property was much more important. English laws are mainly founded on Roman codes. Mark how Patrician accumulation and vulgar pauperism historically repeats itself.

On the American Continent it was a custom amongst the ancient Peruvians that no one could leave the *decury* without the express permission of the Inca. The *decury* was bound to have a home built for each new household, and assign to it land enough for its support. (An Inca would

be most useful in Ireland, as a law and order agent, to counteract the crowbar brigade, assign land, and stop evictions). In old pagan Peru children were not regarded as an incumbrance; on the birth of each child the allowance made was increased by one *fanega* for a boy, and for a girl half a *fanega*, which equalled the area that could be sown with one hundred pounds of maize. (As a relict of the Israelitish distribution perhaps, curiously, in Europe amongst the ancient Germans, the size of an acre of land was reckoned by the labour of a day.) In Peru the division of the land was modified by a yearly revision, and a new partition took place according to the number of the members of each family. The Peruvian was simply the farmer for the year, of the lot which fate, or the *decurians* assigned him. But outside the community lands, the Sun or Inca had exclusive property, which the inhabitants had to cultivate. In all ages, climes and territories, kings claimed privilege and titheage, as foretold by the prophet Samuel.

In Ireland, under Celtic tenure, the clans were the proprietors of the soil, the king or chief nominally gave land to his warriors to support retainers; those grants were taken away if the officers did not prove useful in war. But the king or chief COULD NOT diminish the property of the clans, although he might apportion according to his idea of merit. Attacks, forays, conquests and rapine in Irish history, were prompted by the desire of land possession and booty. The social rights of the clan were as broad as their acres. Celtic land tenure was tribal family right or recognised legal Communism, preventing the exclusive, personal possession of the first resources of life. The old Celtic fashion is still the rule in Russia. The fundamental Russian institution is the Mir or collective proprietorship of the land, and its equal and periodic apportionment amongst the members of the community. Slavic communal philosophy is spreading abroad. What is done in Russia can be accomplished elsewhere.

Although landholders' selfish cupidity has immensely appropriated an extent of the people's commons through the secret action of agricultural legislators, and servile administra-

tors, still the number of existing common lands, such as the Curragh and Phoenix Park in Ireland, numerous tracts of land, forest, moor, and seashore in England and Scotland, together with public parks, are undeniable evidence of the land for the people. Municipal properties, corporation estates, are recognised institutions, showing a modified form of common property. Government in trust for its people takes unappropriated lands, and as wards for the nation owns all lines of natural transportation roads, streets, rivers, lakes, and sea-coasts, in which every citizen is a co-proprietor. It is only a question of time, money, and expediency to nationalize the railways; quick, cheap transit being a most important factor in successful commerce. All over the Three Kingdoms the iron road directors have sacrificed the prosperity of the commonwealth to the usury of individuals. State communism, in certain essentials necessary to national welfare, need not interfere with private property, but limit its dangerous power and control its overbearing accumulations to healthy associative proportions.

At the present moment the land is nationalised in Japan; there are no paupers or unemployed, starving multitudes in the Slavic and Japanese communities. Financial famines are unknown in China, where millionaires have yet to be discovered, still it is the most densely populated country in the world; but the Chinese people are free to till their land and live on their rivers.

Appointed Royal Commissions could not avoid exposing the scandalous fact that adjacent landholders, acting in the fashion which Latimer denounced as "enclosers, rent raisers, and graziers," legally grabbed nearly nine million acres of commons land within the Three Kingdoms. It would be useful to have another inquiry, as absorbing Christians have been enclosing in the interests of monopolizers and meat producers. In Ireland, out of 15,219,000 arable acres, 12,278,788 are meadowed and devoted to the ovine and bovine species, only 1,594,157 acres are retained to feed mankind by cereal crops. Statistics prepared by the Irish army, *alias* Constabulary, state there are about 4,229,000 cattle, and

4,962,000 human beings, so that probably twelve acres are enjoyed by the four-footed beast or lord of the soil, whilst only ONE acre is allowed for the biped creature with a soul like to God's. If this cultivable area was divided according to the ancient Israelitish, the Mediæval Celtic, or the modern Slavic system, there would be a farm of from four to five acres for every single man, woman, and child resident inside of "congested Ireland." Nearly four-and-a-half millions of acres is only giving poor herbage; some seven millions acres require drainage, all would pay for improvement by labour and culture. But outside this there is an enormous ever-increasing quantity of waste land of no value as private or public property; if taken as a State asset and nationalized it would at once provide a safe output for idle capital which need not be exported to foreign bubble stocks, and also give much-needed work to unemployed labour—stopping an exodus of exiles who will be a source of danger whenever the chance occurs. If this scheme was economically and honestly managed without ruinous law expenses and red-tape foolery, it would reduce taxation by the accruing profit, create contentment, and almost obliterate that growing pauperism which is the cancer of competitive capitalistic civilization.

This land question has been peacefully settled in Belgium, France, and Germany. Why should English statesmen be afraid to do their duty, so that all classes may co-operate to live in peace and plenty?

British land monopolists might, with prudence, remember Hugo's sentence:—"An invasion of armies can be resisted, an invasion of ideas *cannot* be resisted."

FEUDALISM.

"Put not your trust in Princes."—*Psalms*.

DURING Saxonism the greater portion of English soil was practically owned by the occupying *ceorls* or cultivators, and called folks' land; a small allotment was held in fee by the nobles, for the performance of certain duties, as re-

quired ; a land tax was levied. "The king himself could NOT appropriate any portion of folk land without consent of the Witenagemot" (Assembly of the Wise) or grand national council. William the Conqueror changed the method. New races introduce fresh laws. In the hands of a few powerful, unscrupulous men, or by the manipulation of a selfish, interested class, Law is the root of all National robbery and social injustice. The Saxons were treated as rebels, and their possessions alienated by law. The king of the sword claimed the right to all the land as trustee for the people. Who dare deny his law when he had the will and power to enforce it? The Feudal system nominally vested the land as a holding in the lord ; this explains how the term, "landlord," was introduced. Properly speaking, no one is lord of the land but Him who made it. Lawyer-made titles can only confer the disputed right of holding, which may, at any *moment*, be disturbed by superior force. The term, landlord, is equally mythical as the phrase, "Divine right of kings;" it has no logical efficacy, though it may possess a legal distortion. Landholder is the correct word. No creature manufactured or can destroy the land. Empires and generations melt even out of memory. The land still remains. Can the miserable, shadowy holder be its lord? As a matter of historical fact, feudal lords, called lords of the land, received holdings on condition of *performing well defined obligations*. All landholders were really simple trustees, under vassals of a suzerain who was generally king. The olden people's land became Royal demesnes. Socage or land tax was a payment to the monarch, mainly to meet war expenses. He was also lord of all the towns and houses, whose inhabitants paid the Crown Tallage or house rent ; but he did not claim the tenants' property as ground landlords now do by law.

As the Royal power waned, that of the lords grew stronger. The *English Chronicle* or oldest extant Teutonic history relates how "in the reign of Stephen, seven centuries since, the landholders or nobles of England, taking advantage of a disputed throne and a weak Govern-

ment, built for themselves 11,000 castles. Sallying forth from these strongholds they seized every man and woman who had managed by industry to acquire a little wealth, and by the infliction of horrible torture extorted the results of their labour from them. To such an extent did this go on that the ground lay all untilled, and men refused to work, when there was no security that they would enjoy the fruits of their toil."

This aristocratic brigandage was transferred as a legal procedure to Ireland, where insane divisions allowed the land-grabbers permanent settlement in a small seaboard district, and also suffered occasional internal conquests. The feudalistic emigrants sustained their retainers within the Pale by ravaging and impoverishing the "wild Irishrie" in their own territory, so as to civilise and christianise the *Insula Sanctorum*. Land possession and tenant retainers were the only objects of rulers, so the period which extends from the Anglo-Norman invasion to the passing of the Catholic Relief Act, was marked by the endeavour to establish certain alien systems of land-tenure. The welfare of the people was scarcely considered at all; but, as a rule, evictions were unknown, except those made by the sword of civil strife. The spirit of the new tenures was essentially feudal—the feudal noble having his tenants as vassals, found them useful, because obedient in all things. His quarrel was not with them, but some rival against whom he could lead them occasionally. The country was at various times portioned out amongst adventurers from England, who were entrusted with exceptional powers for the pacification of their districts, but seeing that peace would not be the best for their personal interests, they became fomentors of anarchy. They opposed the extension of English laws to their Irish neighbours who found themselves deprived of their own Brehon laws and denied the protection of the laws of England. These feudal colonists forged plots and treasons, in order to get the territory ruled over by some Irish chief, partitioned out among themselves. They would also invite some of the principal Irish to a feast, which terminated in massacre, and hire assassins to proceed into the Irish country to murder the

Irish chiefs. For killing an Irishman the penalty was five pounds. Both James I. and Charles tried to make plantations of English and Scotch settlers in Ireland. The Irish Privy Council wanted James to drive all the native Irish into the mountainous province of Connaught. But all the plans of these feudal freebooters were broken by the wars which gave England a Commonwealth and Ireland a Cromwell. He adopted the rejected policy of the Irish Privy Council, drove all the proprietors of three provinces into Connaught, and hemmed them in by military settlers. Many common people were allowed to remain, because they might be useful to new settlers, and become Puritans. This devastation was made that Cromwell might satisfy those who advanced money to carry on the war, and also the Army, whose pay was in arrear, by giving them grants of land. The new settlers were as rapacious and tyrannical as the old. The landlord ruled his estate as a feudal despot, with but little check from the law. He extracted all he could from his serfs, and generally spent it in rude pleasures, and often got into debt by his extravagance. The Revolution of 1688 came to re-open old wounds—the Irish fighting for one of those unlucky Stuarts who were the cause of so much misfortune to Ireland. Queen Mary, Elizabeth, James, Cromwell, Charles I. and II., and William III., often assisted by what were called Irish Parliaments, robbed the people of their land; thus the vaunted old titles are generally founded on legal fraud or open force.

Lord Clare, the Chancellor, in a speech delivered February 10th, 1800, said :—

“The situation of the Irish nation at the Revolution, stands unparalleled in the histories of the inhabited world. If the wars of England carried on here from the reign of Elizabeth had been waged against a foreign enemy, the inhabitants would have retained their possessions, under the established laws of civilized nations, and their country have been annexed as a province to the British Empire. What then was the situation of Ireland at the Revolution, and what is it at this day? *The whole power and property of the country have been conferred by successive monarchs of England upon an English colony, composed of three*

sets of English adventurers, who poured into this country at the termination of three successive rebellions. It is a subject of curious and important speculation to look back to the forfeiture of Ireland incurred in the last century. The superficial contents of the island are calculated at eleven millions and forty-two thousand six hundred and eighty-two acres.

Confiscated in the reign of James I., the whole of the Province of Ulster, containing	...	...	...	...	ACRES. 2,836,837
Set out by the Court of Claims, at the Restoration	...	...	...	...	7,800,000
Forfeitures of 1688	...	...	...	...	1,060,792
					<hr/>
Total,					11,697,629

So that the whole of the island has been confiscated, with the exception of five or six old families of English blood, some of whom had been attainted in the reign of Henry VIII., but received their possessions before Tyrone's rebellion, and had the good fortune to escape the pillage of the English republic inflicted by Cromwell; and no inconsiderable portion of the island has been confiscated twice, or perhaps taken in the course of a century."

By the *Book* and the *Battle* the Irish people have been divorced from their native soil and birthright. Originally sword law decapitated the head of the state from the body of the people, in whom were vested the land or God's agent of existence. By abolishing the Saxon representative system of shires, hundreds and *probi homines*, substituting instead Norman nomination, brute force, and *curia regis*—subsequently allowing mock representative parliaments, coerced by a lawyer, created hereditary oligarchy to manufacture one-sided legislation, approved of by a kingly figure head. The protection and sustenance afforded by feudalism to friendly retainers has been succeeded by constitutional accumulation, money extraction, waste land, and pauperism, which threatens danger to the English Empire.

A determined opponent writing about Ireland in the *North American Review* in January, 1880, Mr. Froude, says :—"Of all the fatal gifts which we bestowed on our unhappy possession was the English system of owning land. Land, properly speaking, cannot be owned by any man—it belongs to all the human race. Laws have to be made to secure the profits of their industry to those who cultivate it; but the private property of this or that person, which he is entitled to deal with as he pleases, land never ought to be, and never strictly is. In Ireland, as in all primitive civilisations, the soil was divided among tribes. Each tribe collectively owned its own district. Under the feudal system the proprietor was the Crown, as representing the nation, while the subordinate tenures were held with duties attached to them, and were liable, on non-fulfilment, to forfeiture. In England the burden of defence was on the land. Every gentleman, according to his estate, was bound to bring so many men into the field properly armed and accoutred. When a standing army was substituted for the old levies the country squires served as unpaid magistrates on the commission of the peace. The country squire system was, in fact, a development of the feudal system, and, as we gave the feudal system to Ireland, so we tried long and earnestly to give them our landowners. The intention, doubtless, was as good as possible in both cases, but we had taken no trouble to understand Ireland, and we failed as completely as before. The duties attached to landed property died away, or were forgotten, the ownership only remained. The people retaining their tribal traditions believed that they had rights upon the lands on which they lived. The owner believed that there were no rights but his own. In England the rights of landlords have similarly survived their duties, but they have been modified by custom or public opinion. In Ireland the proprietor was an alien, with the fortunes of the residents upon his estate in his hands and at his mercy. He was divided from them in creed and language, he despised them as of an inferior race, and he acknowledged no interest in common with them. Had he been allowed to trample on them and

make them his slaves, he would have cared for them, perhaps, as he cared for his horses. But their persons were free, while their farms and houses were his; and thus his only object was to wring out of them the last penny which they could pay, leaving them and their children to a life scarcely raised above the level of their own pigs."

"The land belongs to the Nation, to the State, to the people." "No nations would admit that they exist upon sufferance, that they hold their liberty to exist upon the soil of their country at the pleasure of the minority"; but, though Arthur Arnold wrote that passage in *Free Land*, 1880, the dominant minority in Ireland have still the power of depopulation by eviction. Irish landholders exercise the most absolute authority that at present is allowed to exist in any civilized community. Sentences of death are general, and the Government will have no people to govern if the system is continued.

The *Democrat* quotes:—

"In 1882, after a tour in Ireland, Mr. John Morley wrote respecting the Irish landlords:—'They talk about the rights of property as if they were not living on the confiscated improvements of the cultivators of the soil. They denounce the incorrigible indolence of a population whose toil it is that supports luxurious palaces of indolence for their masters. Themselves the neediest aristocracy in Europe, they have no language too strong for the improvidence of their inferiors. Great lords who never go near their estates from year's end to year's end are very edifying on the ruin that will befall the hapless tenantry if they are left to themselves. With virtuous indignation the class that has for generations been in the habit of spending its Irish rents to the tune of millions a year in any place in the world except Ireland solemnly warns the tenants that they are depleting the country of its capital.' To-day the landlords wish to leave the country bag and baggage. And they demand that enormous compensation shall be given them for ceasing to live 'on confiscated improvements of the cultivators of the soil.' The demand for compensation should come from the robbed, and not

from the robber. For the moral evils which landlordism has wrought in Ireland no human compensation can ever be made."

CAPITALISTIC LANDHOLDERS.

RENT.

"Their good, ill health, wealth, joy or discontent,
Being, end, aim, religion, rent, rent, rent."—BYRON.

"The widow is gathering nettles for her children's dinner; a perfumed seigneur, delicately lounging in the *Eil de Beuf*, hath an alchemy whereby he will extract from her the third nettle, and call it *rent*."—CARLYLE.

The landlords "exercised their rights with hands of iron and renounced their duties with fronts of brass."—*London Times*.

"The first object of a good Government is not that rich men should have their pleasures in perfection, but that all orders of men should be good and happy."—SYDNEY SMITH.

THE economical development of our nation should be set before our country for its future direction, so as to correspond with its real conditions and rational ends. "The mechanism of the body social must be influenced by home legislation so as to point out the law and customs that bring it trouble, and ensure arrangements that will be most favourable to the creation of well-being by the employment of labour, which shall be ensured the result of its steady industry. Under Irish clannish tenure all the members of the tribe or family had an equal right to their proportion of the whole; this enforced mutual dependence and created self-respect, as opposed to the vassalage to feudal lord. If a tribe was driven or emigrated to a locality where it held no hereditary claim, then rent was demanded by the king of the district. Conquerors also enforced rent. It was levied as a tribute rather than according to the modern fallacy of free contract in which the monopolist has dictated his own terms. In its first conception and gradual growth from custom to law, rent is the offspring of violent brute force. The English began to pay Danegelt or land tax to the Danes about 995. The Irish civilizer, *alias* Henry II., was the

first to introduce a tax on military tenants of the crown, termed scutage, imposed as a recompense instead of personal service; the generous nobles compelled their poor retainers to pay rents, and so made a vulgar profit on the transaction. Further, taking advantage of monarchical impotence, the holder began rack renting and evicting. Those noble customs of appropriation and depopulation have been shielded through law, and maintained by order which is salaried principally with proceeds of taxation on commerce. Land was originally lent by the state for a return called "reddit," now corrupted into rent. The trustee had to lead his retainers or tenants properly equipped to the wars, and if he did not give satisfaction, the land was taken from him and lent to another. The REDDIT was not paid in money but personal service. When a tenant or warrior died, his horse and armour should return to the lord to fit out another retainer for the war. Sometimes the horse was worn out or dead. So a law was passed empowering the lord to seize the best beast in the tenant's estate or a money fragment,—this was called a heriot. In Charles II.'s reign, landholders made a law to get rid of its own return; Reddit, or rent to the state, it continued the payment of the heriots to itself. This is a direct proof of the legal right of the people to the soil and the Exchequer to the rents. Previous to 1692 the land paid all the taxes. That landholders' parliament agreed to pay a land tax of 4s. in the pound, but the valuation was made 150 years ago. Ever since the possessors of land have been appropriating the property and labour of the tenants. The rental of Ireland is five times more than it was then. Tables prepared show that all over the three kingdoms, while in 1814 land paid 69 per cent. of the whole of the local rates, it does not now pay more than 23 per cent. In other words, out of every £100 required for local taxation, the land, which used to pay £69, has gradually passed through the falls of £49, £33, £27, £26, until now it is £23. The burdens on land therefore have gradually and enormously diminished; the proportion it used to pay being now borne by other items, by changes of indirect taxation. The ruling classes, *alias* the landowners, de-

crease their own taxation and put it on commerce. The foundation of all government is in the possession of land. The House of Lords, parliamentary land-holders, county Lord Lieutenants, Agricolous Privy Councils, mighty Resident Magistrates, branches of land-owning families, Deputy Lieutenants with large land ratings, land agents posing as J.P.'s, and lawyers inventing fundamental laws, are all of the earth—earthly. It shall be useful to examine and analyse the title-deeds under which landholders presume to continue arbiters of the state and dictators to the people, as shown by the financial fact that in Holland land alone pays 9 per cent.; in Austria, $17\frac{1}{2}$; in France, $18\frac{1}{2}$; in Belgium, $20\frac{1}{2}$; and in Hungary, $32\frac{1}{2}$; while in the Three Kingdoms, land only pays $5\frac{1}{2}$ per cent.

TITLE AND TENANT.

“Woe unto you lawyers, for ye have taken away the key of knowledge.”—CHRIST.

THE sententious idiom “it is the law” often commands approval and prevents inquiry, yet a lapse from primary principle may, in the course of generations, be worked into LAW. Interested deafness, moral blindness, and enforced silence, decline to set the mind to work upon first principles. Subsequent sophisms are carelessly and lazily adopted as unalterable facts; thinking men should be careful to distinguish between law founded on Divine justice, coupled with human expedience and lawyers’ interpretation, with placing of fundamentals; those arrangements are sometimes the outcome of personal privilege, as opposed to public advantage. The irresponsible unlimited prerogative of private property in land has been the result of usurpation, which destroyed the old Saxon usages. Lawyers are generally the highly paid allies of power, they hide the key of knowledge and imprison industry within the paper walls of monopoly. John Stuart Mill, the great political economist, declared “the land of Ireland, the land of every

country, belongs to the people of that country. When the 'sacredness of property' is talked of, it should always be remembered that any such sacredness does not belong in the same degree to landed property. No man made the land. It is the original inheritance of the whole species. Its appropriation is wholly a question of expediency. When private property in land is not expedient, it is unjust."

Burke said:—"It is not what a lawyer tells me I *may* do, but what humanity, reason, and justice tell me I *ought* to do."

Philosophic Herbert Spencer, in his "Social Statistics," says:—"Equity does not permit property in land, for if one portion of the earth's surface may justly become the possession of an individual, held for his sole use and benefit, as a thing to which he has an exclusive right, then other portions of its surface may be so held, and our planet may thus lapse into private hands. It follows that if the landowners have a valid right to its surface, all who are not landowners have no right at all to its surface. Hence such can exist on the earth by sufferance only. They are all trespassers. Save by permission of the landlords they can have no room for the soles of their feet—nay, these landless men may be equitably expelled from the earth altogether."

Sacred prerogative long robe gentlemen seldom quote Judge Longfield:—"The right of private property in land is a *political* NOT a natural institution." This is merely a plain statement devoid of legal technical phraseology, derived from the study of Blackstone, Spelman, and Coke, who were particular legal scientists, unlike the generalising professionals with whom law and order, and "sacred rights of property" are stronger phrases than the ten commandments. The joint interest of the public in land has never been, and can never be, excluded by mere black letter law or formidable parchments. British law acknowledges this fact, but the doctrine is scarcely ever ventilated in Irish courts. Originally the noble landholders *had not the power to sell*, but during Henry VIII.'s reign, the law of wills was passed, giving them greater

authority over their tenures. By law they were not allowed openly to sell, but as usual the lawyers helped the powerful to evade and break through the law, and make quiet, secret sale. In this way the aristocrats sold what was state property; so by means of legal chicanery they gradually became the owners instead of tenants to the Crown. Land was thereby created a marketable commodity. The lawyers are responsible in connection with the nobles for this iniquity. The commercial classes bought to become ennobled, money became master of the situation, and the people were discounted to allow the doctrine of absolute property in land, yet Williams on the law of real property, lays down:—"The first thing the student has to do is to get rid of the idea of absolute ownership. Such an idea is quite unknown to the English law. No man is, in law, the absolute owner of lands, 'he can only *hold an estate* in them.' English law is absolutely metamorphosed in Ireland by the extension of executive administrative authority, which extinguishes the spirit, and annuls the practice of constitutional justice." Froude lays down:—"Private ownership in land is permitted, because government cannot be omnipresent, and personal interest is found on the whole an adequate security that land so held shall be administered to the general advantage." But seeing that men are born into the world without their own wills, and being in the world they must live upon the world's surface, or they cannot live at all,—no individual, or set of individuals, can hold over land that personal and irresponsible right which is allowed them in things of less universal necessity. Land possession directly affects natural prosperity. The English system of tenure is the worst in the world, having no parallel except in America, where attention is being rivetted to its glaring defects. As a consequence there is a greater ratio of paupers and more general destitution in the Three Kingdoms than in any part of the known globe (except perhaps India under British rule). English poor law is a unique institution to pay an army of officials and hang on political purposes. It does not even attempt the State relief as given by land mono-

opolizing Patrician Romans. In Ireland temporary poverty means imprisonment, as the law distinctly orders that a family may starve if they do not break up their homes and go into the idle workhouse to be manufactured into permanent paupers, and become a lasting charge on rate-payers. This is the legal common sense and Christian communism; meanwhile the land goes to waste for want of labour. There is no article of commerce the origin of which cannot be either directly or indirectly traced to land. The physiocrats, a well-known French school of economists in the last century, were so impressed with this fact that they regarded land as the sole source of wealth, and paid little attention to other industries than agriculture. The limited quantity of land and the limited productiveness of it are the real limits to the increase of production of wealth. After a certain and not very advanced stage in the progress of agriculture, it is the law of production from the land, that by increasing the labour the produce is not increased in any equal degree; in fact, doubling the labour does not double the produce. This general law, says John Stuart Mill, is the most important proposition in political economy. It lies at the root of the laws that regulate rent and that govern the increase of population. The laws that regulate rent in Ireland have been manipulated, forged, and enforced altogether in the interest of capitalistic landholders. Industry and economy are the natural and just sources of wealth, yet those who possess parchment titles to land have stopped industry and paralysed economy by raising rents and appropriating improvements. Truly Buckle declared "landlords are perhaps the only great body of men whose interest is diametrically opposed to the interest of the nation." This is perfectly true regarding imported monopolizers of land in Ireland, witnesses, Edmund Spenser, 1596:—"The lords of land do not there use to set out their land to farme for tearme of years to their tenants, but only from year to year or during pleasure... The landlords there use most shamefully to racke their tenants, laying upon them coin and livery at pleasure, and exacting of them besides his covenants what he pleaseth."

Sir John Davis, 1612:—"The lord is an absolute Tyrant and the Tennant a very Slave and Villain, and, in one respect more miserable than Bond Slaves. For commonly the Bond Slave is fed by the Lord, but here the Lord is fed by his Bond Slave." 1725, Dean Swift:—"Rents are squeezed out of the blood and vitals and clothes and dwellings of the tenants who live worse than English beggars." Lord Clare, 1787:—"The peasantry are ground down to powder by enormous rents." Later on Royal Commissions disclosed if possible a more lamentable state of affairs, but a landholding parliament and hereditary house of landholders preferred to provoke revolution rather than provide a remedy, which would lessen their income and prerogative. The Incumbered Estates Court enabled capitalists to purchase social position, and the privilege to appropriate the earning of tenants. Thus the land, which should be the basis of national wealth, was, through the improvidence of landholders placed at the mercy of mere speculators—men of "blood and iron," who only considered the profit. Human suffering, domestic ties, or national depopulation, did not weigh in the nicely-balanced minds of land investors, who bought the lives, liberties, and wage-earning capabilities of those who unfortunately existed upon estates under misnamed voluntary agreements termed leases. Incumbered estates' titles wiped away any previous blots. Legal sophists were very particular about title, but never thought of the tenants' lives or improvements. Having powers within the law, speculative plutocrats and absentee absorbers recognised no duty, save a quick return and large percentage, as Froude explains in his "Short Studies on Great Subjects"—"The (Irish) landlord may become a direct oppressor. He may care nothing for the people, and have no object but to squeeze the most that he can get out of them fairly or unfairly. The Russian Government has been called despotism, tempered by assassination. In Ireland landlordism has been tempered by assassination . . . Every circumstance combined in that country to exasperate the relations between landlord and tenant. The landlords were, for the most part, aliens in blood, and in religion. They represented

conquest and confiscation, and they had gone on from generation to generation with an indifference for the welfare of the people, which would not have been tolerated in England or Scotland. The law had at last to interfere to protect the peasantry in the shape of Mr. Gladstone's Land Act—the best, perhaps, the only good measure, which has been passed for Ireland for the last two hundred years.” A Scotchman, Professor John Stuart Blackie gives evidence —“ Among the many acts of baseness branding the English character in their blundering pretence of governing Ireland, not the least was the practice of confiscating the land, which by real law belonged to the people, and giving it, not to honest resident cultivators, which might have been a polite sort of theft, but to cliques of greedy and grasping oligarchs, who did nothing for the country they had appropriated but suck its blood in the name of land rent, and squander its wealth under the name of fashion and pleasure in London.” All this was accomplished under the guise of legislative sanction. Our Lord declared “love your neighbour as yourself,” contained the whole fulfilment of Christian law. 1900 years after His birth, behold the majesty of civil law embodied in a military constable armed *cap-a-pie* chasing chickens and pocketing potatoes from the wretched starving peasants in Gweedore. An economical method of collecting seed-rate, costing a hundred times the amount of debit. But prostrate your intellects, ye Gaelic dullards, and admire the British idol of infallible legal supremacy.

EVICTION AND ERROR.

“Get ye gone into another country and eat your bread in a strange land.”

“Neither is the population to be reckoned only by the number for a smaller number that spend MORE and earn LESS, do wear out an estate sooner than a greater number that live lower, and gather more. Therefore, the multiplying of nobility, and other degrees of quality in an over-proportion to the common people doth speedily bring in a State to necessity.”—BACON.

“If care and circumspection be not used by the State, danger will arise.”

“I have no sympathy with a policy which improves a country by getting rid of its people. It is a policy of despair. It is like the theory of Dr. Sangrado of Gil Blas fame, for the curing of disease by blood letting, the life of the body. I cannot accept the policy of making a solitude and calling it political economy. I am entirely against pressing people out of their own country.”—SIR W. HARCOURT.

IN the early history of mankind the legal process called eviction was utterly unknown. An enemy might come and seize the soil, making its inhabitants pay tribute. In the Celtic judicature there does not appear to be any provision made for the ejection of tribal landholders, the exact equivalent of the word eviction is perhaps unwritten in the Erse language. The Saxon people were also rooted in the land, even the Norman Saxons protested against feudal land clearances. When the ancient aristocracy was replaced by adventurers, who began to make money by rack renting and evicting, Henry VII. ordered tenants to be restored, telling the landholder *it was for the purpose of keeping men in their land he was entrusted with his estate*. Bacon relates how to prevent immense grazing tracts being formed, the statute of tillage was passed *limiting the number of sheep to be kept by any farmer, and preventing anyone holding more than two farms*. This statute might be useful in Ireland, where beef and sheep growers are lords of legislation. *It was also enacted that if two farms are held, the holder (mark not the owner), THE HOLDER must reside in the parishes, where they be upon penalty of 3s. 4d. for every week of absence*, a large sum in those days. Edward the III. statutes are revived by black letter practitioners for coercive uses.

Why don't they disinter those Henry VII. laws, to preserve the people at least by a recollection,—that humane practice was once law. An Act was passed *preventing a landlord from pulling down any farm house that had 20 acres of land attached to it*. How often has this legislation been violated in Ireland under the name of OLD ENGLISH LAW. In the reign of Henry VIII. acts were passed preventing enclosures of commons, yet nine millions of acres have been enclosed by more recent Parliamentary action. The consolidation of farms was declared illegal, still all the powers of British law and a standing army was used at the expense of all taxpayers, to evict small holders and consolidate "immense tracts" in Ireland. But the Irish landholders, like the nobles in the time of Henry the VIII. were too powerful for the disorganised people who passively acquiesced to the domination of closely connected interests, whose command of governmental resources and technicalities enabled the accomplishment of their purpose however opposed to general utility, or to the spirit of JUST LAW.

Landlordism has depopulated the country and allowed the land to go to waste—it has increased rent and lessened production; it has exported millions of money and transferred the great burden of taxation from landowners to consumers, producers, and tenants. It caused most of the suffering, degradation and crime that has occurred in Ireland for generations. The prevalence of wide-spread poverty and disaffection among the masses, consequent on ruinous exactions and social tyranny, threaten to overwhelm many established institutions. In the twenty years between '46 and '66 landlordism levelled 250,000 Irish homesteads, and nearly 4,000,000 persons were banished in one generation from a land capable of supporting thrice its present population. This weakening of the Empire was brought about by the legislative action of alien landholding lawmakers, aided by the lawyers who interpreted and administered civil law without appeal to historical precedent or public utility. It is indubitably stated that the old English common law thought the offence of depopulators (that is, evicting landlords) so

grave as to deprive them of the benefit of clergy, and so contrary to the common weal that even the King could not pardon them; while the common law would not grant such depopulators either the privilege or the sanctuary of Christian burial. The old English law does not appear to have been included in the studies of those who aided and abetted depopulation, consolidation, and rent raising. Landholders who would rather let land lie idle than reduce rent should be reminded that under the old law of England, "the mere neglect to cultivate or inhabit the land involved its confiscation to the King's hand," *i.e.*, to the State. The more learned may find proof in Kemble's "Saxons in England," vol. 2, p. 52, or in "Hist: Elien," vol. 1, p. 1, Friar Thomas's "History of Ely." The arable land of Ireland in 1851, after the famine, was 5,788,000; it is now about 4,600,000 acres. Who was fined or brought to justice for this conversion of fertility into barrenness? For it is related by Hume in his History of England, "that in the year 1634 Sir Anthony Roper was fined £4,000 for depopulation, or turning arable land into pasture land, under the provisions of a law enacted in the reign of Henry VII." Ireland's population in 1843 was a little under nine millions. In 1886 it is less than five. Who was fined for the depopulation of the country? If the process goes on for another generation Ireland will be the SAHARA of British rule, with a town oasis of inhabitants here and there to relieve the monotony of a rural desert. Alien unnatural legislation for Ireland, resolves itself into a state of things which would be punishable by law in England, if not previously prevented through public opinion. By a hollow mockery of representative government, the land created by God to sustain the children of men, and the national revenues levied for the promotion of general utility have been seized by those who had cleverly wrested the power from the inhabitants. Monopolies and privileges were legally created to enrich certain limited classes. Any revolt against authority, obtained by nomination and supported by force, was termed rebellion; every attempt of the people to obtain natural rights, incited by reasonable humanity and sanctioned by Divine law,

was savagely punished by the civil and military instruments of legislation. The merest technical difference of opinion as to the mode and fundamentals of government was adjudged to be treason, and suffered accordingly. Such proceedings might lead to the false supposition that governmentals made the land, earned all the money, created the people, bestowed the light of reason, and flattered the Irish race, by grasping the soil and accepting salary to rule the Celt and enrich the upper Saxon, for the democracies of Great Britain are in just as woful a plight as their Irish neighbours.

Financial famines are caused by rack rents exported to absentee landlords, double taxation sent away to a foreign Exchequer, commercial annihilation is effected by anti-Irish import agents called merchants. The Mammon Moloch of '48 sacrificed about 1,100,000 lives, but a Constitutional Christian Government did not see anything in the circumstance to cause State aid to *be required*. This extermination policy has been repeated more than once, yet "the first duty of Government is the preservation of its people." A brief *resume* of Irish Parliaments, representing the Anglo-Norman element, will show how pretence can overrule reality. The last Parliament was a sectional sectarian assembly, but Ireland prospered. Since that period, under the name of Union, and cloak of law and order, the Irish nation has been perversely pauperised, dangerously decimated, extensively exiled, and deeply degraded, because strangers governed and administered the Constitution.

Law was the fulcrum which moved the avalanche of misery to entomb the unfortunate people beneath its destructive shadow.

INTRODUCTION.

“History is the torch of truth, the witness of ages, and the oracle of life.”—CICERO.

THE greater portion of “Irish Parliaments” appeared as letters in the *Nation*. They are re-issued by desire and permission. A perusal may be useful to political petrifications drowning in the sink of ignorant prejudice.

Ephemeral thinkers and obstructive, academical educationists, posing as teachers of public opinion, ignore Irish legislative history as an antediluvian tradition, and scarcely ever advert to the fact that for nearly six centuries Ireland was a distinct kingdom under Parliamentary Government, just so far as English legislative authority possessed the narrow power of making laws, of overlooking their administration, and of rudely watching administrators. Beginning with the synods and public councils, 1172, to Baronial parliaments in 1253, and duly recognised parliaments of the Pale in 1311, there is a clear authentic enrolment of very many Parliaments assembling in various places at different intervals, until the beginning of the present century. Strange it is that the British Empire was not dismembered, although five uprisings against oppression took place during those centuries. The incapacity of imported rulers to conciliate or govern Ireland is thereby demonstrated. God implants in the human soul a longing for independence; no amount of slavery can eradicate it; empty words will not do duty for acts. Every people has the right to govern itself. Success is the final test of wisdom; English rule in Ireland has always been a dismal failure, and if the policy of ruling Ireland from an English Parliament is continued, it will end Parliamentary Government. The Kingdom of England was not disintegrated from 1376 to 1485, nor did the integrity of the Empire dissolve from 1782 to 1800, yet during those years Irish Parliaments absolutely denied the right of Westminster to interfere with legislation in Ireland.

IRISH PARLIAMENTS.

“Woe to the land on whose judgment seat a stranger sits, at whose gate a stranger watches.”

CHAPTER I.

FROM 1170 TO 1317.

It is difficult to arrive at facts in antiquarian research, as negligence, ignorance, and misrepresentation obscure distant history. This is more particularly the case when the records are kept by those who desire to conceal the truth. No more striking instance could be given as an example than the alleged Bull of Adrian, which such competent authorities as Cardinal Newman, Father Burke, Dr. Lynch, etc., have repudiated as not being genuine. “Father Yorke lately lectured that twenty-one Bulls were issued by Pope Adrian IV., and the originals of these Bulls were to be found in the Papal archives at Rome, but there was no trace at all of this alleged Bull addressed to Henry II. of England. The document has evidence on the face of it that it is a forgery. It purported to be addressed to some English King, but the name of the King was not mentioned. Neither was it signed nor sealed, nor was the name of the Pope to it, and it was quite incomprehensible why such a document, if it had been issued, should be so utterly devoid of all signs of authenticity. It purported also to have been issued from Rome, and the Pope was not in the Eternal City at all at the time. The Bull was said to have been obtained from the Pope at Rome in 1155 by John of Salisbury, who is said to have been sent on an embassy to Rome for the purpose by Henry II. John of Salisbury made no mention whatever of the Bull in the diary he kept of his journey to Rome, and in which he inserted matters most trivial. It was not published by Henry II. till twenty years after, when John of Salisbury and Pope Adrian were dead. In 1172 a Synod was held at Cashel,

and was attended by the Papal Legate, but there was no mention made there of the Bull, for the very cogent reason that it was not in existence. Three years subsequently it was made public at a Synod held in Waterford by a few of Henry's creatures. The only authority that such a Synod was ever held was Geraldus Cambrensis. It was also contended that a confirmatory decree had been issued by Pope Alexander III. in 1172 from Rome, but the fact was that, owing to the disturbed state of the times, the Pope had to go from place to place, and was not in Rome at all in 1172. The Protestant Archbishop Usher, a celebrated scholar and historian, denied that this alleged confirmatory decree of the Bull of Pope Adrian was authentic. King Henry the Second's secretary, who wrote the chronicles of the reign of his Sovereign, made no reference whatever to the Bull; and if it had been issued, St. Laurence O'Toole would not have so strenuously resisted the English invasion. Pope Adrian the Fourth would never have given such a mission to the murderer of St. Thomas à Beckett; and during his reign from 1154 to 1156 he continued a bitter struggle against the tyrants who occupied the Thrones of Europe at the time."

It was not Christian zeal but land hunger that prompted the Normans to come to Ireland. Strongbow appealed to his soldiers, showing them the rich plains of Meath, "this is a country worth fighting for," yet the men who owned it scarcely thought it worth defending, and never united against the invader. Duplicity and deceit have ever been the characteristic of state dealings with the Irish nation.

A species of representative government existed in Ireland previous to the invasion of Henry. The Celtic chiefs, although partially hereditary, were elected by the clansmen; further it was looked upon as a disgrace if a man did not belong to some tribe whose chieftain or prince should espouse the quarrel and defend the interests of each follower. The kings met first at Tara, the nobles and princes directly represented their followers; those public councils were called together according to the exigencies of the State. The Kings as Lords, and the nobles as commons were summoned by Roderick O'Connor in 1169, to con-

ider measures for repelling the invasion invited by McMurrough.

In October, 1171, King Henry II. landed with 400 knights and about 4,000 soldiers, at Croch, near Waterford.

In a wooden palace, erected on the southern side of the present Dame Street, King Henry kept his court at Dublin during the winter of 1171-72.

Copying Celtic usage, he summoned a parliament of Irish only to arrange the executive government of the Pale. Now, there is no distinct record of parliament in England until 1258 under Henry III. The House of Commons appears to have come into existence about 1265, so that the Irish parliamentary council, even under British invaders, was an older institution than the English parliament which now claims absolute dominion.

A synod of the Irish clergy, convened by Henry, and held at Cashel in 1172, passed decrees concerning marriage, baptism, and the special privileges of the clergy, who were exempted from payment of the *eric*—the price of a life—by which a murderer was bound to pay compensation to the family of his victim—and whose property was not liable to any exaction from the chiefs.

At a royal council held at Lismore, the English monarch imposed obedience to English law upon his new subjects of Ireland.

Before Henry II. left, he appointed Hugh de Lacy governor of Dublin in April, 1172, he directed that a castle should be built there, and that the city should be regarded as the seat of government. This is the foundation of Castle Government, and it still remains as a brand of slavery on the forehead of Ireland. Henry departed, leaving Strongbow as Earl Marshal.

In the *Antient Annales* are found the following records:—The Irish Statute Roll will demonstrate that from first invasion of Henry II., and ever since, there has existed a parliament in that country—a legislative assembly possessing the usual powers of such a meeting.

The Statute of Richard III. says, that Henry II. of that name had made several regulations for supplying occasional

vacancies in the office of governor. It then proceeds to amend the same. There is a purely legislative enactment made in Ireland, arranging the executive government itself and co-eval with the supposed conquest of the kingdom. Confining his observations to the limited district under English control, Hallam says : " That Henry gave charters of privilege to the chief towns, began a division into counties, appointed sheriffs and judges of assize to administer justice, erected supreme courts at Dublin, and *perhaps* assembled parliaments."

Limited representation in Irish Parliaments was at all times co-extensive, not merely with the English Pale, but with whatever portion of the Irish territory acknowledged a subjection to English dominion and acquiesced in its legislation. No more can be required, for, of course, in ancient as in modern times, countries not under obedience to English law, whether in rebellion, or as yet unsubdued, not only abstained from participation with the parliament, but scorned its enactments.

Fitzadhelm was appointed second Viceroy, and in 1177 Henry II. created his son Lord John of Ireland. Two years later De Lacy was appointed Viceroy in room of FitzAldhelm, who had been recalled. On the death of De Lacy, who was slain at Durrow, in Queen's County, John De Courcy was made Viceroy in 1186. Henry II. died in 1189, and his son, Richard I., was too much engrossed in the third Crusade to care for the affairs of Ireland, which were left to John.

In 1254, King Henry III. formally granted the kingdom of Ireland to his son Prince Edward, who, however, does not appear to have visited the island.

In Rymer's *Fædera* will be found a writ to convene an Irish Parliament in the 38th Henry III., A.D. 1253. There is also upon a plea roll, 53 Henry III., which is preserved in Bermingham Tower, a statute of that year.

In the black book of Christ Church, Dublin, which was written before 1300, there is an account of Parliament of Edward I., holden, as Sir Richard Cox alleges, before Sir R. Wogan, 1295 ; this historian gives a list of the members. In the 3rd Edward II., there was one, the enactments of

which were printed by Sir R. Bolton (the Chief Baron contemporary with Davies.)

A petition occurs upon the plea rolls of Bermingham Tower, No. 224, this petition was referred to the king in the 6th of Richard II., against the alleged illegal practice of holding Parliaments without the presence of the Lord Lieutenant, and it asserts "that from all times since the conquest of the said land the Lord Lieutenant was present."

Those extracts are mainly from Monk Mason, who, in his able pamphlet on Irish Parliaments, clearly shows at length:—

1st. That Irish Parliaments were legislative bodies—2nd. To consider how far the representation of the people in them extended—3rd. To show that they were constitutionally sufficient for the legislation of Ireland, and here, that the nation was altogether independent of the English Parliament, and not bound by its enactments. On this point of Irish Parliamentary independence Molyneux forcibly argued.

"The Regality of Ireland was vested in John by his father, the grant was confirmed by the English Parliament and licensed by the Pope. This surely dissolves the connexion between the two Parliaments, as it constituted distinct princes for each land. The accession of John to the crown of England did not afterwards restore it; this operated only as the accession of James I. did upon Elizabeth's death; and a grant of common law to Ireland, even if it were in the 12th of John's reign, could no more have restored the original dependence on the English Parliament than the importation of the laws of the twelve tables could have made Rome to be subject to Athenian legislation."

As to the historical grounds for Home Rule, Molyneux, in "The Case of Ireland," published 1689, shows "That Parliaments were authorised and established in Ireland from the time of Henry II." Various charters and declarations of right are quoted, proving that at the several times of their execution Ireland was a separate kingdom by the admission of the English Government. Laws

passed in England with the design of binding both kingdoms were uniformly transmitted to Ireland to be passed into law by the Irish Parliament. The history of Poyning's law puts that question beyond contradiction. It is obvious from an entry in the White Book of the Exchequer in Dublin, that so long ago as the ninth year of Edward I., the king and Parliament of England would not enact laws to bind Ireland without the concurrence of the representatives of this kingdom. Yet in this degenerating age of imperial centralisation English and Scotch members pass laws to bind Ireland in spite of the vigorous protest of a majority of Irish M.P.'s. Molyneux clearly shows that before 1641 "no statute was made in England introductory of a new law that interfered with the right which the people of Ireland have to make laws for themselves." Afterwards some laws were made in England to be of force in Ireland, but these were repealed by the Irish Parliament, the fact irresistibly showing they did not *de facto* bind the Irish legislature. *De jure*, so far as there was a constitutional system, it excluded the right of the English Parliament to legislate for Ireland. Again, Molyneux proves by grave citations of cases that when a judgment happened to be removed from Ireland to England it was judged according to the laws and customs of Ireland, conclusively showing on strictly legal ground the direct exclusion of the right of the English Parliament to meddle in Irish affairs.

As showing how slender the sovereignty of the Pale was in Ireland at this early period, history relates that in 1315 the Irish of Ulster begged Robert Bruce, King of Scotland, to send them some aid against the English, Bruce encouraged his brother Edward to invade Ireland. After gaining a victory at Coleraine he was crowned King of Ireland. King Robert Bruce arrived in Ireland, September, 1316, and with an army of 20,000 Scots, reinforced by a contingent of native Irish, the brothers marched towards Dublin. Robert Bruce returned to Scotland in 1317. Edward Bruce was slain in battle near Dundalk in 1318.

CHAPTER II.

FROM 1317 TO 1376.

“By their fruits ye shall know them.”

It will be observed from the undeniable authorities quoted, that from the first year of the Saxon land-grabbers' invasion, a separate and distinct Government under a viceroys with an executive altogether apart from England was allotted. It will be found that a Parliament was held in 1317 by Roger Mortimer at Kilmainham; at Kilkenny in 1326, and also at Dublin in 1331. D'Arcy M'Gee wrote of this period:—

“The civil administration of the *colonists* passing into different hands every three or four years suffered from the absence of permanent authority. The law of the marches was of necessity the law of the strong hand and no other, but Cambrensis says, ‘the walled towns were filled with litigation in his time.’ There was, he says, ‘such lawing and vexation that the veteran was more troubled in lawing within the town than he was in peril at large with the enemy.’ This being the case, we must take with caution the assertion so often made of the zeal with which the natives petitioned the Henrys and Edwards that the laws of England might be extended to them. Certain Celts whose lands lay upon the marches, others who compounded with their Norman invaders, a chief or prince hard pressed by domestic enemies may have wished to be in a position to quote Norman law against Norman spoilers, but the *popular* petitions went only from Dublin townsmen and the new settlers. The great mass of the Irish people remained warmly attached to the Brehon law down to the 17th century. The first attempt to enforce non-intercourse between the natives and the naturalized began in the time of Sir Antony Lucy, (elected 1331), when the King's Council sent over Articles of Reform, in which it was threatened, that if the native nobility were not more attentive in discharging their duties to the King, his Majesty would resume into his own hands all the grants made to them by his ancestors, and he would enforce payment of debts due to the Crown. These articles were allowed to remain a dead letter until the administration of Darcy (Edward III.'s confidential agent). They were pro-

claimed again by this deputy (in 1342), who convened a Parliament or Council at Dublin. The same year a new ordinance came from England forbidding the public employment of men born or married, or possessing estates in Ireland, and ordering all offices of State should be filled by 'fit Englishmen having lands, tenements, and benefices in England.*' The Anglo-Irish resolved to offer resistance, and by the convocation of the Earls of Ormond, Desmond, and Kildare, they agreed to meet at Kilkenny. Accordingly, what is called Darcy's Parliament met at Dublin in October, while Desmond's rival assembly gathered at Kilkenny in November. There is no account given of the proceedings of Darcy's Parliament, but Desmond's despatched to the King a Remonstrance in Norman-French, in which they reviewed the state of the country; deplored the recovery of so large a portion of the former conquest by the old Irish, accused the successive English officials with a desire suddenly to enrich themselves at the expense of sovereign and subject, pleaded their own loyal services to and finally claimed the protection of the Great Charter. Edward was in need of men and money for his French wars, sent a conciliatory answer, and summoned them to join him in arms. The next deputy, Sir Ralph Lifford (1343-1346), made a vigorous effort to enforce the articles of 1331, and the ordinance of 1341. By the capture of the Earls of Kildare and Desmond the policy of non-intercourse was abandoned. Desmond was appointed Lord Justice for life; he unfortunately died soon. The only legal concession marking his period was a royal writ constituting the Parliament of the Pale, the court of last resort for appeals from the decision of the King's Courts in that province. The favourite policy was renewed in 1357. 1367. Lionel, Duke of Clarence, enacted the Penal Code of race, known as the Statute of Kilkenny. 'The March law and Brehon law are illegal, and there shall be no law but English law.' Several archbishops were parties to this statute, but they were nominees of the English King."

This ancient ecclesiastical fact proves how dangerous it would be to allow any state interference with spiritual authority. This Parliament also prohibited, under the guilt of treason, "that the English should hold

* Boycotting pure and simple by English law ever since enforced as far as possible against the mere Irish.

any intercourse whatever with the ancient Irish." This infernal law was afterwards revived and confirmed in a parliament held at Drogheda under Henry VII. Its statutes also forbade Irish Minstrels to enter the English Pale, and made it penal to give them shelter. Later on said good Queen Bess: "We can never make Ireland Protestant so long as the minstrels are there." A law was passed that "they were to be all hung." Lord Barrymore was appointed, and took out a commission TO HANG EVERY MAN THAT WAS A HARPER. Titled hangmen are historical personages in records of English rule long before "Firm and gentle viceroyalty."

The infamous statute of Kilkenny was the commencement of the "penal code of race," which imported absorbers of land and taxation have almost continuously perpetuated to oppress those from whom they claim loyalty. It most appropriately sets out by reciting that:—

"Whereas, at the conquest of the land of Ireland, and for a long time after, the English of the said land used the English language, mode of riding, and apparel, and were governed and ruled, both they and their subjects, called Betaghese (villeins) according to English law, etc., but now many English of the said land, forsaking the English language, manners, mode of riding, laws, and usages, live and govern themselves according to the manners, fashion, and language of the Irish enemies, and also have made divers marriages and alliances between themselves and the Irish enemies aforesaid: it is therefore enacted (amongst other provisions), that all intermarriages, fosterings, gossipred, and buying or selling with the enemy shall be accounted treason; that English names, fashions, and manners shall be resumed under penalty of the confiscation of the delinquent's lands; that March laws and Brehon laws are illegal, and that there shall be no law but English law; that the Irish shall not pasture their cattle on English lands; that the English shall not entertain Irish rhymers, minstrels, or news-men; and, moreover, that no 'mere Irishman' shall be admitted to any ecclesiastical benefice or religious house situated within the English districts."

1374. William de Windsor only consented to return a second time as Lord Lieutenant on condition that he was to act strictly on the defensive, and to receive annually

the sum of £11,213 6s. 8d.—a sum exceeding the whole revenue which the English king derived from Ireland at the period; which, according to Sir J. Davies, fell short of £11,000. Although such was the critical state of the English interest this Lieutenant obtained from the fears of successive parliaments annual subsidies of £2,000 and £3,000.

This is direct proof of the limited control exercised by the English from a financial or political point; but the mad quarrels of personal spite were accounted by Irish chieftains of superior importance to National freedom.

The deputies from Louth having voted against demand were thrown into prison; but a direct petition from the Anglo-Irish to the King brought an order to De Windsor not to enforce the collection of these grants, and to remit in favour of the petitioners the scutage "on all those lands of which the Irish enemy had deprived them."

In 1376 Edward III. summoned the magistrates and burghers of towns to send representatives to London to consult with him on the state of the English settlements in Ireland. But those so addressed, having assembled, drew up a protest setting forth that the Great Council of Ireland had never been accustomed to *meet out of that kingdom*, though, saving the rights of their heirs and successors, they expressed their willingness to do so for the King's convenience on that occasion.

Richard Dene and William Stapolyn were first sent over to England to exhibit the evils of the Irish administration; the proposed general assembly of representatives seems to have dropped. The King ordered the two delegates just mentioned to be paid £10 out of the Exchequer for their expenses.

Here is incontrovertible evidence "that the Great Council (or Parliament) of Ireland had never been accustomed to meet out of that kingdom." This solemn protest was fully passed in the year 1376, yet, in 1886, integrity of the Empire, loyalists declare, that a return to the order of things which existed five hundred years ago is against the Constitution.

CHAPTER III.

FROM 1394 TO 1493.

“With desolation is the land laid desolate, for there is none that thinketh in their hearts.”

IN Ireland, although the Parliament of the Pale had declared itself free from English domination, it was used simply as a legal machine under direction of predominant family factions to oppress, harass, and plunder the divided Irishrie. This limited Parliament was accordingly used as a means of assisting turbulent lords even against the Crown. In England various phases of combat and struggle had taken place between Royalty and Parliament; popular liberty was growing; but in Ireland a Parliament of four, or sometimes of only one county, could not claim any title to a National representative capacity, still, existing as an English institution inside Ireland, it undoubtedly asserted and proved its independence to manage Irish affairs.

In 1394-95 Richard II. lived at Dublin. In a letter to the Duke of York he tells of three races existing in Ireland—(1) the wild Irish; (2) the rebel Irish; (3) the English who are in obedience.

In 1399 *the English Pale* was reduced from the ten counties of King John to *four*—which were Dublin, Meath, Kildare, and Louth. With an income of £11,000 a year, and only four counties, the foreigners held on, their weakness safeguarded by native disunion and tribal jealousy.

Richard held a Parliament in 1395, and appointed the Earl of March as Lord Lieutenant; in 1405 James, Earl of Ormond, held a Parliament in Dublin.

In 1401 the second son of Henry Thomas of Lancaster was sent at the age of twelve to rule Ireland.

Thomas Butler held a Parliament in Dublin in 1411, when certain laws against coyn and livery were further confirmed. It was also enacted, doubtless in the interests of civilization, “that none of the Irish enemy should be

allowed to depart from the realm without special leave under the Great Seal of Ireland—(mark, *not England*)—and anyone who seized the person or goods of a native thus attempting to depart, should be rewarded with one-half of the aforesaid goods, the remainder to be forfeited to the State.” Verily, a just and wise statute calculated to increase the love of the mere Irish inside the Pale.

In 1414, John Talbot, afterwards Earl of Shrewsbury, landed at Dalkey, and left after a stay of a few months warring with the Septs.

During the early part of the reign of Henry VI. the chief troubles of the Government in Ireland arose from Ulster.

The English power in Ireland was reduced in 1430 to so low a point that the Parliament announced the county of Dublin to be the only portion of the country that was submissive to English rule.

Here was a chance to clear the country of alien domination; but the want of knowledge and combined action was fatal to the cause of freedom, as Bacon moralized, “It is a strange desire which men have to seek power and lose liberty.” The lesson should not be lost by Irishmen of the present generation, who are about to regain their ancient privilege of Self-Government.

A Parliament was again held at Dublin in 1441 under Archbishop Talbot. Articles were adopted praying the King to appoint “a mighty Lord of England” for the office of Lord Lieutenant instead of Earl Ormond.

Although the Irish had no rallying principle of National cohesion, the Earl of Shrewsbury, certainly the greatest English military captain of the age, when he came over to Ireland with an army could not penetrate farther than O’Conor Faly’s territory in Leinster.

Talbot, Earl of Shrewsbury, held a Parliament at Trim in 1447. The Irish Parliament declared in 1461 that “Ireland is and always has been incorporated within itself by ancient laws and customs, and is only to be governed by such laws as by the lords and commons of the land in Parliament assembled have been advised, accepted, and affirmed, and proclaimed;” also that “by custom, privi-

lege, and franchise there has ever been a royal seal peculiar to Ireland to which alone the king's subjects are to pay obedience." This was a wonderful declaration from a Parliament which did not represent the people of Ireland; for the lords were dependent and expectant on the Crown and powerless in the active business of the State, while the commons simply fulfilled the venal purposes of their original design, being nominated by a few nominal electors. The House of Commons, in fact, supplied seats for the creatures of the Crown. The English Government did its legal utmost to oppose and insult the Irish people. In 1463 a Parliament held at Trim enacted that "any person may kill thieves or robbers, or any persons going to rob or steal, having no faithful man of good name and in the English dress in their company." That was at least an open licence to rob legally. Such privileges nowadays are cloaked under "law and order" forms, and enforced by lawful monopoly, money power, and official irresponsibility. Adventurers are still imported into Ireland, and in the garb of foreign legislation assume a power which is not sustainable by justice or morality.

If laws could exterminate, degrade, and permanently beggar the Irish people it should have been accomplished in 1475; it was enacted "that any Englishman belonging to an independent Sept might reprove himself on the whole Sept or nation."

1485 brings us to a turning point in British history. English power in Ireland was then at a very low point. The native chiefs had broken down the barrier of the *Pale* which was now reduced to a single county. Ulster was entirely in their hands.

The impostor Simnel came to Ireland, and was adopted as King and crowned in Christ Church. He then went over to England where he was utterly defeated. In consequence of Dublin adopting Simnel's cause, Henry the VII. sent Edgecumb on a special commission of loyalising the Irish. Subsequently, another impostor, Warbeck, appeared, and afterwards disappeared into Flanders. Disturbances and rivalries between the Earl of Kildare

and Ormond, and a difficulty about, the Lord Deputy alarmed Henry. He sent over Poynings as Governor, with an army of 1,000 men and a squad of lawyers, LAW and the SWORD, dual accompaniments of tyrannical government.

As the Irish Parliament had in 1376 declared its independence of England, and as the Anglo-Irish of the Pale had taken the liberty of thinking for themselves, Poynings, after fruitlessly marching against the abettors of Warbeck, who had fled to Ulster, proceeded, as absorbing civilizers do in the present age, to MAKE LAW. Accordingly a Parliament, which represented only the kingly power, prejudice of strangers, and brute force passed statutes to undermine the strength of the great nobles by extinguishing the prerogative of Irish Lords and Commons, and to introduce English laws and habits, and endeavour some systematic taxations instead of Baronial extortions.

In November 1493, at Drogheda, was held Poynings' Parliament. The aristocracy of the Pale, like the patriars of all ages, governments and peoples, had a lazy habit of living on the produce of other people's labour.

For the workers of the Pale the legislation was beneficial, abolishing the practice of coign and livery. The nobles had a practice of coveting and occupying the tenants' lands. It is related per preamble:—

“At the request and supplication of the commons of this land of Ireland, that where of long time there hath been used and exacted by the lords and gentlemen of this land many and divers damnable customs and usages, called coign and livery, and pay, that is horse meat and man's meat; besides many murders, robberies, rapes, and other manifold extortions and oppressions, by the said horsemen and footmen, daily and nightly committed and done, which being the principal causes of the desolation and destruction of the said land, hath brought the same into ruin and decay, so as the most part of the English freeholders and tenants of this land be departed out thereof, some into the realm of England, and other some into other strange lands; whereupon the aforesaid lords and gentlemen of this said land have intruded into the

said freeholders' and tenants' inheritance, and the same keep and occupy as their own, and setten under them to the king's Irish enemies, to the diminishing of holy Church's rites, the disherison of the king and his obedient servants, and the utter ruin and desolation of land."

Another act was passed ordering a ditch (on the Wall of China plan) to be constructed to keep out the Irish from the Pale, just as the law-order coercionists would fence out the Nationalists from the Pale of the Constitution. Poynings was the legal progenitor of Anti-Irish restrictive Unionists. It was then enacted:—

"That all acts made as well by his majesty as by his royal progenitors late kings of England, concerning the common and public weal of the same, were accepted and confirmed to be used in Ireland according to the tenor and effect thereof." And it was provided that "no Parliament should be held in Ireland until the causes and considerations for holding it were first certified by the deputy and council to the king, with the scope and intention of the acts proposed to be passed.

"Item, at the request of the commons of the land of Ireland, be it ordained, enacted, and established, that at the next Parliament that there shall be holden by the king's commandment and license, wherein amongst other the king's grace extendeth to have a general resumption of his whole revenues, sith the last day of the reign of King Edward the Second, no Parliament be holden hereafter in the said land, but at such season as the king's lieutenant and council there first do certify the king under the great seal of that land, the causes and considerations and all such acts as to them seemeth should pass in the same Parliament, and such causes, considerations, and acts, affirmed by the king and his council, to be good and expedient for that land, and his licence thereupon, as well in affirmation of the said causes and acts, as to summon the said Parliament under his great seal of England had and obtained: that done, a Parliament to be had and holden after the form and effect afore rehearsed: and if any Parliament be holden in that land hereafter, contrary

to the form and provision aforesaid, it be deemed void and of none effect in law."

And further:—

"The wild war-cries adopted by the English families in imitation of the natives were forbidden—the statutes of Kilkenny, except as far as the use of the Irish language was concerned, were revived—the use of bows and arrows were enjoined—to stir up the Irishry to war was declared high treason—and the lords of Ireland were compelled to wear in Parliament the same sort of robes as worn by the English lords in the Parliament of England."

This legislation changed the channel of Irish jurisprudence. Hallam observes, "It proved in the course of time the great means of preserving the subordination of the island." There existed some doubts as to the interpretations of the acts, but they were settled by a declaratory act, the 3rd and 4th Philip and Mary, by which it declared the chief governor and council empowered, during the session, to certify other causes and considerations, &c., as they shall think necessary; but it is also declared that no other acts but those transmitted either before or during the session could be enacted by Parliament; thus, as Leland says, "Denying the right the Parliaments had previously assumed, and confining them within stricter limits than before."

So ended the independence of the Irish Parliament until it was revived in 1782.

CHAPTER IV.

THE "DEFENDER OF THE FAITH" WITH MANY WIVES,
AND THE VIRGIN QUEEN, PERIOD.

"In every civil war the object was to displace fortunes."—POLYHIUS,
Greek Historian.

HENRY VIII. ascended the English throne, and the British Parliament was degraded to the level of a mindless truck to carry and levy supplies for a tyrant. Henry's will predominated over all civil and religious law. He ordered the arrest of five Geraldines who were, as a matter of

course, attainted by an Irish Parliament, sent to London, and hung at Tyburn, February 1537.

What was called an Irish government attempted to exterminate all the natives in the districts bordering on the Pale. Secretary Cromwell wrote to his Irish agents:—

“The very living of the Irishry,” it is said, “doth clearly consist in two things; and take away the same from them and they are past for ever to recover, or yet to annoy any subject in Ireland. Take first from them their corn, and as much as cannot be husbanded and hand into the hands of such as shall dwell and inhabit in their lands, to burn and destroy the same, so as the Irishry shall not live thereupon; and then to have their cattle and beasts, which shall be most hardest to come by, and yet with guides and policy they be oft had and taken. And, by reason that the several armies, as I devised in my other paper, should proceed at once, it is not possible for the said Irishry to put or flee their cattle from one country into another, but that one of the armies shall come thereby; and admitting the impossibility so that their cattle were saved, yet in the continuance of one year, the same cattle shall be dead, destroyed, stolen, strayed, or eaten, by reason of the continual removing of them, going from one wood to another, their lying out all the winter, their narrow pastures. . . . And then they (the Irishry) shall be without corn, victuals, or cattle, and thereof shall ensue the putting in effect all these wars against them.”

The policy of extermination is still fashionable under the disguise of eviction, emigration, and starvation of the poor, or pinch of hunger. A parliament, sitting in Dublin, legalised the many marriages of the amorous Henry, king of wives.

Having got rid of certain proctors who represented principle not property, and therefore opposed a new religion, a parliament was held in 1537. Virtuous Henry VIII. was decreed supreme head of the Church and anything or everything else he choose to style himself. Religious houses were suppressed and their lands confiscated to those who took the oath of supremacy, &c.

In 1541 a Parliament was held in Dublin where, for the first time, Irish chieftains sat with English lords. The title, King of Ireland, was conferred on Henry VIII. A

general pardon was issued, and Sentleger writes to the King:—"There was made in the city great bonfires, great feastings, wine in the streets," &c.

In the year 1560, on 12th January, a Parliament of seventy-six members, representing ten counties, met in Dublin. After a few weeks' session the whole ecclesiastical system of Queen Mary was reversed; so that in a half-a-dozen years from Elizabeth's accession, her deputy, Sir Henry Sidney, was able to describe the miserable condition of the Irish Church, as "spoiled, as well by the ruin of the temples as the dissipation and embezzlement of the patrimony, and most of all for want of sufficient ministers;" adding, that "so deformed and overthrown a church there is not, I am sure, in any region where Christ is professed!"

Haverty also records:—

"As the statute of supremacy, 28th Henry VIII., chap. 5 (A.D. 1536), was passed by the illegal and arbitrary exclusion of the proctors from parliament, and by the preliminary dragooning of the nation by Lord Leonard Gray, who, as Sir John Davis says, 'to prepare the minds of the people to obey this statute, began first with a martial course, and by making a victorious circuit round the kingdom, whereby the principal septs of the Irish were all terrified and most of them broken,' (Hist. Rel.); so is there sufficient reason to believe that the statute of uniformity of the 2nd of Elizabeth was obtained forcibly or surreptitiously from the parliament of 1560. 'In the very beginning of that parliament,' says Ware, 'most of the nobility and gentry were so divided in opinion about ecclesiastical government that the Earl of Sussex dissolved them, and went over to England to consult Her Majesty on the affairs of this kingdom.' From this and subsequent proceedings of the viceroy's it may be inferred that the act was not carried in a regular manner. It is even said that the Earl of Sussex, to calm the protests which were made in parliament when it was found that the law had been passed by a few members assembled privately, pledged himself solemnly that it would not be generally enforced during the reign of Elizabeth (See *Cambrensis Ever.* also *Analecta Sacra*, p. 431.) Dr. Curry (*Civil Wars*, book ii. chap. iii.) has collected some curious facts in illustration of this point; but it is not true that the statute of uniformity was kept in abeyance until the

beginning of the reign of James I., although not generally enforced until that time. On the 23rd May, 1561, commissioners were appointed to enforce the 2nd Elizabeth against Catholics in Westmeath; in December, 1562, a commission with similar jurisdiction was appointed for Armagh and Meath; and in 1564, commissioners were appointed for the whole kingdom, to inquire into all offences or misdemeanours contrary to the statutes of 2nd Elizabeth, and concerning all heretical opinions, &c., against said statutes. Other commissions were appointed in subsequent years, but the proceedings of none of these appear to be now ascertainable."

It is well known that there was no persecution, on account of religion, in Ireland during the reign of Queen Mary; and that some Protestant families came to this country from England, about that time, in order to follow their religious persuasions undisturbed. Haverty states:—

"Sir Henry Sidney summoned a parliament to meet in Dublin on the 17th of January, 1569. The history of this body is memorable for the unscrupulous and unconstitutional means resorted to in order to secure its subserviency to the crown. Members were returned for towns not incorporated; mayors and sheriffs in some cases returned themselves; and several Englishmen were elected as burgesses for towns which they had never seen. These monstrous irregularities gave rise to violent opposition. The judges were consulted, and declared that those who were returned for non-corporate towns, and those who had returned themselves, were disqualified from sitting as members, but the elections of the non-resident Englishmen were held to be valid; and this decision still left the court party in a majority. By these Stanihurst, Recorder of Dublin, was chosen speaker, and Sir Christopher Barnwell led the opposition. The first proceedings were stormy in the extreme, and the popular excitement out of doors was so great that Hooker, an Englishman, who was returned for the dilapidated borough of Athenry, and who has left us a chronicle of the period, had to be protected by a guard in going to his residence. In this parliament, in which the majority was a mere English faction, an act was passed attainting the late Shane O'Neill, suppressing the name of O'Neill, and entitling the queen and her heirs to the territory of Tyrone and other

parts of Ulster. Laws were also enacted imposing a duty on wine; giving the lord deputy the nomination to church dignities in Munster and Connaught for ten years; and for erecting in the various dioceses charter schools, of which the teachers were to be English, and, of course, Protestants. A law was also passed abolishing captaincies or chieftaincies of septs, unless when allowed by special patent."

Describing Munster, Sydney wrote—"I never saw a more waste and desolate land." Depopulation by famine and eviction were governmental agencies. In this Parliament Shane O'Neill was attainted, and his territories of Derry and Tyrone were confiscated. Land hunger was the prevalent appetite of Christian civilisers. The project of planting Ulster was favoured by the Virgin Queen. Insurrection was fomented, so that lands might be grabbed for the loyalists. In 1570 she granted the district of Ards, in Down, to her secretary, Smith, so that "the territory might be *humanised*."

In 1577 the Lord Deputy, by the sole authority of the Privy Council, without the intervention of Parliament, corrected the occasional subsidies into a regular tax. Even the loyalists protested against such an open exercise of nominated despotism. The people pleaded constitutional right—the queen's prerogative was the only reply. The collection of the cess was resisted, and eventually matters were compromised by the ministers and Elizabeth. It is strange that the nominated Privy Council, ruled by the Castle, should at the present time be permitted to exercise parliamentary powers in respect to many regulations to be enforced by law in Ireland, almost without protest or exposure.

In 1585 Perrot summoned a Parliament, which met in Dublin, 26th April. A number of Irish chiefs and heads of septs attended; land forfeiture was the main business; Eustace, Viscount of Baltinglass, was attainted. At the adjourned session, 28th April, 1586, Desmond was attainted, so that about 700,000 acres of land were confiscated to the crown to be distributed amongst English undertakers. Districts depopulated by the progress of England's system of civilization, were to be re-peopled by

English and Scotch settlers. Each person, obtaining 12,000 acres, was to plant eighty-six foreigners on his estate; the native Irish were, on no account, to be admitted as tenants, but they might be hired as beasts of burden.

During the wars of O'Neill and Mountjoy, famine was caused by that Christian commander, repeatedly destroying the crops, the English government in Ireland appears to have been carried on by councils rather than parliaments. Self-elected, nominated, and co-opted Privy Councillors are never troublesome to the Crown.

CHAPTER V.

JAMES I.

“The land shall not be sold for ever, for the land is MINE; for ye are strangers and sojourners with me.”—LEVITICUS.

As a weak, vacillating Stuart, James sacrificed his co-religionists in Ireland to his fear of the Puritans. On 4th July, 1605, he commanded the Popish Clergy “to depart from the realm.” The land was the touchstone of English humanisers, so gavelkind and tanistry were abolished. As usual the law came to the rescue of the strong oppressor—the Court of King’s Bench abolished the ancient Irish codes, and the inheritance of property was subjected to the rules of English law—that is to say, private property in land was created by the action of an outside usurping legislature—force superseded right.

The division was, firstly, to English and Scotch, who were to plant their lands with English and Scotch tenants. Secondly, to men employed under government, who might take English or Irish tenants as they pleased. Thirdly, to the natives of the confiscated estates, who were to be freeholders. For the full understanding of the duties and character of undertakers, see Harris’s *Hibernica*, p. 66; Leland, vol. 2, p. 433.

MacNevin explains:—

“The estates of the chieftains were taken into the hands of the crown, and re-granted with the legal titles under which

English property was held. The system of English colonization known by the name of Plantation, was introduced. It was a summary method by which the natives, under one false pretence or another—the usual slanders of English avarice, rebellion or non-conformity—were expelled from the inheritance of their fathers, and a grasping crew of English, but, indeed, principally Scotch adventurers, *planted* in the ancient homes of the people. The parliaments of the day were ready agents of confiscation, passing acts of attainder as they were required on the most ridiculous pretences, and the falsest evidence. The two great northern chieftains, Tyrone and Tyrconnell, were accused of having engaged in a conspiracy, and aware of the result of awaiting the process of English law, they fled the country and were attainted. Five hundred thousand acres in Ulster were the rich prey of the king—the splendid prize of artful iniquity. And in the domains of the expatriated chiefs of Ulster was planted that colony of Scotch and English which ‘have rendered that province, from being the seat of the *wildest natives*, the most flourishing, the most Protestant, and the most enlightened part of Ireland.’ Such is the moral that Hallam, an English Whig historian, finds in the great scheme of national robbery which was devised by the corruptest statesman in England—Bacon—and executed by the crafty, cruel Chichester.”

Haverty states :—

“Six counties of Ulster, Tyrone, Derry, Donegal, Fermanagh, Armagh, and Cavan, were confiscated to the crown, and were parcelled out among adventurers from England and Scotland. Various plans were proposed for the purpose, and among others, Lord Bacon was consulted ; but his plan was disapproved of. Sir Arthur Chichester, the lord deputy, was found to be more useful and practical in his views, and richly was he rewarded for the assistance which he rendered to his royal master. He received the wide lands of Sir Cahir O’Doherty for his share in this wholesale spoliation. But the wealthy citizens of London were the largest participators in the plunder. They obtained 209,800 acres, and rebuilt the city, which, since then, has been called Londonderry. According to the plan finally adopted for the ‘plantation of Ulster,’ as this scheme was called, the lots into which the lands were divided were classified into those containing 2,000 acres, which were reserved for rich undertakers and the great servi-

tors of the crown; those containing 1,500 acres, which were allotted to servitors of the crown in Ireland, with permission to take either English or Irish tenants; and thirdly, those containing 1,000 acres, which were to be distributed with still less restriction. The exclusion of the ancient inhabitants, and the proscription of the Catholic religion, were the fundamental principles which were to be acted on as far as practicable in this settlement.”*

MacNevin relates :—

“It was in the reign of James that Ireland assumed the uniform political appearance it has since, with a short interval, maintained, of a subordinated kingdom united to England, and by the construction put by English lawyers, is, on the law of Poynings, with a legislature dependant on that of England.

“Twenty-seven years of rapine, massacre, and disorder had passed, since a parliament had been assembled in Ireland, when in 1612 Sir Arthur Chichester, the deputy of James, intimated his intention of summoning a parliament on a wider basis, and influenced by a more extensive theory of representation than had been up to that period known in Ireland. No one of Irish blood had ever sat in parliament until the end of Henry the Eighth’s reign; nor did the Irish Parliament even assume to represent the entire island until the reign of James the First. There was something constitutional and respectable in the name of Parliament, and their sanction to the designs of conquest or oppression was seldom withheld. The Recusant party (as the Catholics were called), however, having still a considerable power in the state, and being able to send a great proportion of their representatives to parliament, the deputy, to counteract their influence, created forty new boroughs, of inconsiderable towns, so poor as not to be able to pay the wages of their representatives.† The establishment of territorial divisions had added seventeen new counties to the representative system, imperfect and rude as it then was. The new parliament, which was loudly exclaimed against by the six lords of the Pale, Gormanstown, Slane, Killeen, Trim-

* See Pynnar’s *Survey of Ulster*, and other original documents published in Harris’s *Hibernica*; also, *The Confiscation of Ulster*, by Thomas MacNevin, in Duffy’s *Library of Ireland*. Cox says, that in the instructions, printed for the direction of the settlers, it was especially mentioned “that they should not suffer any laborer, that would not take the oath of supremacy, to dwell upon their land.”

† Payment of Members.

bleston, Dunsany, and Lowth, was thus intended to present the appearance of general representation in which not only the British settlers but the native people were to have a voice. Sir John Davies of the King's part was elected speaker. This was the first parliament in which the whole people were supposed to be represented. The number of members was 232 ; it was on many other occasions increased, and in 1692 reached 300. The effect of this augmentation of the representation and increase of the boroughs, will be found afterwards to have been the most fatal engine in the destruction of the Irish constitution in 1800."

In this parliament of 1612 the "law and order" "constitutional" English minority, being beaten in the choice of a Speaker, took the speaker chosen by the majority forcibly from the chair. This parliament created 40 new rotten boroughs. The main business of all those parliaments was to provide supplies to the English king from the pockets of the Irish people. This was accomplished by confiscation and spoliation of church lands and property.

Haverty sets forth :—

"The systematic rapine called 'plantation' was so successful in Ulster, that James was resolved to extend it into other parts of the kingdom. For this purpose he appointed a commission of inquiry to scrutinize the titles and determine the rights of all the lands in Leinster, that province being the next theatre of this iniquitous spoliation ; and so rapid was the progress of the commissioners, that in a little time land to the extent of 385,000 acres more was placed at the king's disposal for distribution. Old and obsolete claims, some of them dating as far back as Henry II., were revived ; advantage was taken of trivial flaws and minute informalities. The ordinary principles of justice were set at naught ; perjury, fraud, and the most infamous arts of deceit were resorted to ; and, as even Leland tells us, 'there are not wanting proofs of the most iniquitous practices of hardened cruelty, of vile perjury, and scandalous subornation employed to despoil the fair and unfortunate proprietor of his inheritance.' From Leinster the system was extended into Connaught, but its principal operation in the latter province was reserved for the next reign. James I. died on the 27th of March, 1625 ; and in consequence of his wholesale plunder, oppression, and persecution of the Irish, left a woeful legacy to his unfortunate successor."

CHAPTER VI.

CHARLES I. AND WENTWORTH STRAFFORD.

FROM 1626 TO 1642.

"This people that knoweth not the law are cursed."

ON the accession of Charles I. the religion of LAND became more philosophically developed. It is a true saying, "opinion governs the world," and of all opinions that of interest is the most powerful. It was St. Paul's sentiment that "godliness is great gain," but "reformed" saints of this age invert the maxim, and rather conclude that "gain is great godliness."

Upon this godly motive it was that zealous "reformers" came into Ireland to propagate their gospel, where they took more pains to make the land turn Protestant than the people; "the confiscation of men's estates (as King Charles I. well observed of that tribe's apostolic spirit) being more beneficial than the charity of saving their lives, or reforming their errors."

The Irish people, who were the natural owners of their own land and should be its cultivators, were driven away. The successful invaders divided the country amongst themselves, as if they were the land MAKERS. In July, 1633, Wentworth came over as Lord Deputy; in 1634 he assembled a Pale Parliament, and secured its servility to his purposes by having a number of *hirelings* in the pay of the Crown, returned as members. The system is still extant, money and monopoly are the pillars of law, because the State will neither pay election expenses, nor Parliamentary salaries. However, Parliaments are used to vote supplies from the earnings of the workers. Wentworth got his supplies passed, six subsidies of £50,000 each, although he asked only £30,000. The graces which he had definitely promised, were absolutely refused. One was "that sixty years of undisturbed possession, should be a bar to the claims of the Crown for landed property." He had his own reasons, as a commission for defective

titles was issued with the open design of confiscating a whole province to the Crown by fictitious law. As usual the law legalised all robberies of power. James I. having planted the greater part of Ireland by law, fresh ground was necessary for Protestant Colonizers from England and Scotland. Leland describes Wentworth's idea:—

“ His project was nothing less than to subvert the title to every estate in every part of Connaught, and to establish a new plantation through this whole province ; a project which, when first proposed in the late reign, was received with horror and amazement, but which suited the undimmed and enterprising genius of Lord Wentworth. For this he had opposed the confirmation of the royal graces, and taken to himself the odium of so flagrant a violation of the Royal promise. The Parliament was at an end, and the Deputy at leisure to execute a scheme, which, as it was offensive and alarming, required a cautious and deliberate procedure. Old records of state and the memorials of ancient monasteries were ransacked to ascertain the King's original title to Connaught. It was soon discovered, that in the grant of Henry III. to Richard de Burgo, five cantreds were reserved to the Crown, adjacent to the Castle of Athlone; that this grant included the whole remainder of the province, which was now alleged to have been forfeited by Aedh O'Connor, the Irish provincial chieftain; that the land and lordship of De Burgo descended, lineally, to Edward IV., and were confirmed to the Crown by a statute of Henry VII. The ingenuity of court lawyers was employed to invalidate all patents granted to the possessors of these lands, from the reign of Queen Elizabeth.”

More were bribed, and judges rewarded to find clear titles for the Crown. In Galway the jurors who would not give an unjust verdict, were fined £4,000 each, and their property confiscated. The Sheriff was fined £1,000, and died in prison. It is not long since a National High Sheriff was incarcerated, and fined £500 for vindicating the independence of criticism upon the details of the Irish jury system. Wonderful is the history of British law which generally strengthens the strong and oppresses

the weak. Even landholders who had complied with English law were cheated.

"The gentlemen of Connaught," says Carte (*Life of Ormond*, vol. i.), "laboured under a particular hardship on this occasion ; for their not having enrolled their patents and surrenders of the 13th Jacobi (which was what alone rendered their titles defective) was not their fault, but the neglect of a clerk entrusted by them. For they had paid near £3,000 to the offices at Dublin for the enrolment of these surrenders and patents, which was never made." The same authority tells us that all these proceedings of Wentworth were sanctioned by the King, his majesty having assured the deputy before the English council in 1636 that his treatment of the Galway jurors "was no severity," and wished him "to go on in that way," adding "that if he served him otherwise he would not serve him as he expected."

In the face of all this spoliation, about 1640, another Parliament was called to vote subsidies for the King to aid in putting down the Scottish rebellion. Meantime "Strafford's* scheme for holding Ireland in subjection, and draining her resources for the benefit of a ruined exchequer and a faithless king, was at once bold in outline and comprehensive in detail. If, instead of legislating for a nation, the Lord Deputy had been maliciously bent on taking all the savour, and sweetness, and warmth out of the life of a colony of galley slaves, he could not have devised anything more likely to effect his purpose. He strove to secure for the Government in Ireland a monopoly of salt and a monopoly of tobacco; he contemplated imposing a tax on bees; and he was determined to prevent the Irish from exporting their wool, or manufacturing it at home for their own use. 'Wentworth resolved,' says his biographer, 'that all the wool manufactures of Ireland should be stopped, in order to compel her to purchase them from England. The Irish were not to be allowed to weave or spin their own wool, but this same wool was first to be taken to England, where it was to pay a heavy duty, and

* Lex, Home Rule.

when turned into cloth, carried back to Ireland, where again a duty was to be imposed, thus absolutely doubling the customs.'” Just as our present taxation is doubled, under the pretence “*identity of imposts.*”

In consequence of this policy, land robberies, and extraordinary sectarian persecution, a rebellion broke out in Ireland. Parsons and Borlase, Lord Justices, were not sorry that an opportunity should occur to enable them to have all the recusant landed gentry at their mercy for absorbing confiscation.

CHAPTER VII.

THE GENERAL ASSEMBLY.

1642.

“We ought not to presume to legislate for a nation in whose feelings and affections, wants and interests, opinions and prejudices we have no sympathy; the false and abominable presumption that the English could legislate better than they could do themselves, a presumption founded on the most abominable tyranny.”—CHAS. JAMES FOX.

LONG before Fox existed this obvious truth was forced upon the minds of the Irish people; for they saw that the Anglo-Norman Saxon Commons in Ireland were tributary in kind and money to feudal importations from a foreign country. The Pale garrisons had disturbed the bonds of society by breaches of good faith, and severe laws which special occasions demanded, were held to be unchangeable, selfish vicious rulers vitiated the state and corrupted morality, so harmonising measures were never dreamt of. The common bulwark, general utility, was systematically outraged by those who controlled the judicial and magisterial administration and military power. By means of partizans the English-Irish Commons was used as a legislative tool to enable usurped dignity to accomplish appropriation. Privileged sectarian liberty degenerated into licentiousness, grasping avarice encroached with legal powers; every absorber imagined himself a person of exalted talents and virtue. Freedom and order were unknown in a land where discord and disaffection had blighted the growth of confidence in National union.

The O'Neill wars of 1599 and 1602 were almost the

final vigorous effort of native chieftains to resist the invaders, and overrule their jurisdiction in civil and religious matters.

Government and religion, the two great supporters of order, morality, and utility, were diverted from their true functions, and used principally as a means to elevate the few by depressing the many.

Irrespective of doctrinal differences, true religion should supply the insufficiency of the law to assist concord and produce prosperity.

Native civic pride and political privilege perished, because an imported government became the undisguised protectorate of money-lust and land monopoly. The pagan individualism of governmentalist completely overbore the Christian communism of general welfare. Land and liberty were given only to the rulers, public things were subordinated to private interests. The political sanitation of freedom and ownership of soil were denied to the people who were thus forced into the arena of truth and action. After the flight of the Northern chiefs the ancient Milesian judicature and the collective proprietorship of the soil and its apportionment to members of the clan was nearly disused. Ulster was planted, and the landgrabbers colonised the other provinces. Parliamentary commissions, king's proclamations, defective titles, the omission of calling an Irish Parliament, packed jurors, who were fined enormous sums if they prevaricated, or, in other words, done justice—those were the law and order means employed to confiscate the possessions of the rightful holders of property.

As an outcome of general disaffection a plot was laid to take Dublin. It was only prevented being successful by the want of caution in one of the principals, McMahon, who was afterward hanged at Tyburn, on 23rd October, 1641. Phelim O'Neill issued a proclamation "That the first assembling of us is nowise intended against our sovereign lord the king, nor hurt of any of his subjects, either English or Scotch; but only for the defence and libertie of ourselves and the Irish natives of this kingdom, &c." Obviously this was intended as a defensive

association. In the wars which followed deeds were committed which do not commend themselves for reproduction. The English parliamentarians in Ireland started and kept up a continuous supply of "popish massacres and outrages," so that England might be incensed against the Irish. No mention, however, was made of the burnings, pillaging, slaying, and torturing inflicted by the Puritan soldiers upon women and non-combatants. This kind of policy united the Nationalists and Royalists; mainly induced by the Catholic clergy, a National Synod was convened to be held in Kilkenny. On 10th May it assembled. Nearly all the ecclesiastical Irish dignitaries attended in person or by proxy. An oath of association was passed to bind together the confederate Catholics of Ireland. A representative assembly was arranged to be held, the members representing provinces and cities should be chosen to form a supreme council to carry on the executive government. Penalties were declared against those who committed crime under the excuse of warfare, etc. This conference sat three days.

On the 24th October, 1642, the general assembly commenced operations; 11 spiritual, 14 temporal peers, and 226 commons were present. Patrick Darcy represented the chancellor and judges, Nicholas Plunkett acted as speaker, Rev. J. O. Quirke, Dominican, was chaplain. This assembly declared "They did not intend their body as a Parliament to infringe in the prerogative of the crown, but as a provisional government to consult of an order for their own affairs till his majesty's wisdom had settled the present troubles." A supreme council was chosen and generals appointed for the armies of Ulster, Leinster, Munster, and Connaught. The assembly prohibited all distinction and comparison between old Irish and old and new English or between Septs and families. It broke up 9th January, 1643. After various battles, including the great victory of Benburb, the next memorable meeting was in Kilkenny, 10th January, 1647. The Papal Nuncio was present. It was resolved, "That the nation would accept of no peace not containing sufficient security for the religion, lives, and estates of the con-

federate Catholics." On 8th March a proclamation of aforesaid was published calling on all Catholics to take arms. The confederate generals waged war with variable success. Rinuccini left Galway in 1649. Disunited action amongst the leaders had failed to effect that success which the bravery and devotion of their followers deserved.

CHAPTER VIII.

CROMWELL, ALIAS, "TO HELL OR CONNAUGHT."

FROM 1650 TO 1689.

"The sword of extermination had passed over the land, and the soldier sat down to banquet on the hereditary possessions of the natives."
—O'CURRY.

CROMWELL came to Dublin 14th August, 1650, and pursued a notorious course of massacre and plunder over the greater part of Ireland. Haverty writes:—

"Cromwell and his council had indeed seriously contemplated the utter extirpation of the Irish race; but that fiendish project appeared still too difficult, and even to them too revolting, and accordingly, by the act for the settlement of Ireland, passed by the English Parliament, August 12th, 1652, it was decreed that full pardon should be granted to 'all husbandmen and others of the inferior sort not possessed of lands or goods exceeding the value of £10,' while persons of property were to be otherwise disposed of according to a certain classification. Those comprehended under the first six heads set forth in the act, and they comprised all the great landed proprietors and all the Catholic clergy—were excepted from pardon of life or estate; others, who merely held commissions as officers in the royalist army, were to be banished, and forfeit their estates, except the equivalent to one-third, which would be assigned for the support of their wives and children; those who, although opposed to the Parliament, might be found worthy of mercy, and who were not included under any of the preceding heads, also forfeited two-thirds of their estates, but were to receive an equivalent to the remaining third wherever the Parliament might choose to allot it to them; and, finally, all who were perfectly innocent, that is, who had

no share whatever in the war, but yet were not in the actual service of the Parliament, or had not manifested their 'constant, good affection to it,' forfeited one-third of their estates, and were to receive an equivalent to the remainder elsewhere. Thus all the Catholic gentry of Ireland were indiscriminately deprived of their hereditary estates, and such as might be declared by Cromwell's commissioners innocent of the rebellion, and were to receive back any portion of their property, should transplant themselves and their families beyond the Shannon, where allotments of the wasted tracts of Connaught and Clare would be given to them. The other three provinces were reserved for Protestants, and any of the transplanted Catholics who might be found in them after the 1st of May, 1654, without a passport, might, whether man, woman, or child, be killed, without trial or order of magistrate, by any one who saw or met them. Moreover, those who by this 'act of grace' received allotments in Clare or Connaught were obliged to give releases of their titles to their former estates in consideration of what was now assigned to them, to bar themselves and their heirs from laying claim to their old inheritances; and they were sent into wild and uncultivated districts, without cattle to stock the land, or agricultural implements to till it, or houses to shelter them; so that many Irish gentlemen and their families actually perished of cold and hunger. They were not suffered to reside within two miles of the Shannon, or four miles of the sea, or of Galway, or in any garrison, or market town. Many of the transplanted Irish having erected cabins and creaghts, as the hurdle houses were then called, near Athlone, the military authorities were ordered to banish all 'the Irish and other Popish persons' from that neighbourhood, so that no such gathering of them should be allowed within five English miles of Athlone. (MS. Orders of Council, Dublin Castle.) In the meantime the whole kingdom was surveyed and mapped out by Dr. Petty, and the forfeited estates distributed among the adventurers who had advanced money for carrying on the war under the confiscating acts of February and March, 1642, and in liquidation of the arrears of pay due to Cromwell's soldiery. According to the stipulations on which the money was borrowed, the adventurers were to receive for £200 a thousand acres of good land in Ulster, for £300 a thousand acres in Connaught, for £450 a thousand acres in Munster, and for £600 a thousand acres in Leinster; the bogs, woods, and mountains being thrown in

gratis as waste or unprofitable land; but we are told by a contemporary writer that the highest value set on the land at the time of the distribution was four shillings per acre, some being only valued at one penny.* Lord Antrim's estate of 107,611 acres was allotted to Sir John Clotworthy, afterwards Lord Massareene, and a few others whose adventures and pay did not exceed £7,000. From Sir William Petty's *Political Anatomy of Ireland*, and the official sources consulted by Mr. Bichenoup, we glean the following data relating to the Cromwellian Confiscation:—The surface of Ireland was estimated at 10,500,000 plantation acres, of which 3,000,000 were occupied by water, bogs, and coarse or unprofitable land. Of the remaining 7,500,000 acres, 5,200,000 belonged to Catholics and sequestered Protestants before 1641, 300,000 to the church, and 2,000,000 to Protestants planted by Elizabeth and James I. The Cromwellian Government confiscated 5,000,000 acres, which they disposed of as follows:—To officers and soldiers who served before Cromwell's arrival in 1649, 400,000 acres, in Wicklow, Longford, Leitrim, and Donegal; to soldiers who served since 1649, 1,410,000 acres; to the adventurers who advanced money under the acts of 1642, about 800,000 acres; to certain individuals who were favourites of Cromwell, 100,000 acres; retained by Government, but let on profitable leases to Protestants in the Counties of Dublin, Louth, Cavan, and Kildare, about 800,000 acres, besides the house property in walled towns and cities; to the transplanted Irish in Connaught and Clare, 700,000 acres; to which Petty adds (writing, however, in 1672, long after the Restoration) 'innocent Papists' 1,200,000 acres. This was called the Down Survey, or Down Admeasurement of Ireland; and, as an example of the complete desolation of the country at the time it was made, we are told that no one was left of the old inhabitants in Tipperary who could point out the bounds of the estates, so that an order from Government was necessary to bring back from Connaught five or six families to accompany the surveyors and show them the boundaries. Privy Council Book, A 5."

Here are titles to some sacred rights of property, which claims and enforces the power of depopulating Ireland, because impossible rents are not paid punctually.

* An instructive comparison in the pending sale.

Regarding the sister island Carte's Ormond states:—

"In England the old proprietors generally expelled the Cromwellian intruders without much ceremony; but any attempts at a like mode of proceeding in Ireland were immediately put down by a royal proclamation." Yet sane individuals wonder why the Irish tenants were not a loyal, contented race.

Two most determined slaughterers of the Irish people, Coote and Broghill, were appointed lord justices. Parliament was summoned 8th May, 1661, the Commons consisted of 264, the Lords of 93 members. Measures were taken to prevent the Catholics from admission by requiring them to take the Sacrament and the oath of supremacy. This Parliament voted £30,000 to the Duke of Ormond.

A bill of settlement regarding lands was sent on to England, when, after some time, an Act of Explanation was passed by which, as Leland states, every remaining hope of those numerous Catholic claimants whose causes had not been heard was entirely cut off. This act was approved of by the Irish Commons, and passed in December, 1665. Proclamations against Catholics and discouragement of industry were almost the only judicial functions assumed by unsympathetic governmentals.

Imported foreign Lord Lieutenants have been invariably "firm and gentle" in regard to Irish interests. "As early as 1673, Sir William Temple, at the request of the Earl of Essex, then Viceroy of Ireland, publicly proposed that the manufacture of woollens (except in the inferior branches) should be relinquished in Ireland, as tending to interfere prejudicially with the English trade. In all probability the Irish manufacturers of broad cloths would gain on their English rivals; and the improvement of woollen fabries in this kingdom, argued the statesman, 'would give so great a damp to the trade of England, that it seems not fit to be encouraged here.'"

CHAPTER IX.

JAMES II. AND WILLIAM III.

FROM 1689 TO 1703.

“Inequality is the source of all revolutions, for no compensation can make up for inequality.”—ARISTOTLE.

BEING expelled from England, James landed at Kinsale on the 12th of March, 1689, bringing with him some Irish troops from France, and about a hundred French officers, with a supply of money. Proceeding to Cork, he was there met by the viceroy, Tirconnell, and hastened to Dublin, where he arrived on the 24th, and was received with great demonstrations of joy. He ordered a Parliament to be summoned, and issued proclamations commanding all those who had abandoned the country and gone to England or Scotland to return under the penalty of being treated as traitors, and calling upon all to aid him against the usurper of his throne; also for the suppression of robbery, &c. On the 7th of May he opened his Parliament in person, wearing on the occasion a crown newly manufactured for him in Dublin. This Irish Parliament declared itself independent of the Parliament of England, and passed the first act made in these realms for liberty of conscience. To the Catholic clergy it granted the right to receive the tithes payable by the members of their own communion; and after a violent opposition from the Protestant members, it repealed the Act of Settlement, and passed an Act of Attainder against those who had taken up arms against king James, or who, having gone to England or Scotland, or to the Protestant quarters in Ulster, had refused to comply with the king's proclamation calling on them to return to their homes and their allegiance. It is to be observed that Protestants were allowed to sit and vote, so that something like a representative Parliament then sat in Ireland. This assembly, consisting principally of Catholics, anticipated by two

centuries religious equality, established free schools, free trade, encouraged strangers to settle in Ireland, abolished tithes, compelled each creed to support its own ministers, and reversed confiscations not 30 years old, and passed an act of attainder against those who had been traitors to king and country. What an example that Irish Parliament held 200 years ago affords to the political charlatans of 1886. It met at the Inns of Court. James made a judicious opening speech, declaring his intention to uphold the rights of property and to establish liberty of conscience. D'Arcy Magee says: "Three Acts passed by this Parliament entitled its members to be enrolled amongst the chief assertors of civil and religious liberty. 1st. An Act for establishing liberty of conscience, followed by a supplemental provision that all persons should pay tithes to the clergy of their own communion. 2nd. An Act abolishing writs of error and appeal unto England. 3rd. An Act repealing the Act of Settlement, which received the royal sanction, notwithstanding the protest of the Protestant lords." Whatever may be the bias of historians, it cannot be denied that this Parliament showed a spirit worthy of the representatives of a free people. Grattan, our highest Parliamentary authority, declared: "Though Papists they were not slaves. They wrung a constitution from King James before they accompanied him to the field." Then, as to-day, the Irish nation stood forth a valiant friend of freedom and toleration when uncontrolled by imported dominant minorities.

The battle of the Boyne was fought and lost through incompetence. The siege of Limerick and its violated treaty, remains, as an historical epoch of Irish bravery and English duplicity.

When Sarsfield departed, and Ireland lay a victim to foreign and native anti-Irish law-making, the victorious possessing minority immediately through the action of the English law makers and appropriators, forfeited 1,061,000 acres of land from 3,921 Papists who regarded James as their lawful sovereign, and 9,600 acres of James's personal estate to the virtuous Mrs. Villiers, a favourite of William's. The question of the independence of the Irish Parliament.

excited much interest. In the Parliament which met in Dublin 1692, a bill sent from England imposing certain duties was rejected by the Irish Commons, without any reason for rejection being assigned, save that "THE SAID BILL HAD NOT ITS RISE IN THIS HOUSE." In the Commons, composed almost entirely of importations and Protestants, an oath was framed in direct contravention to the oath prescribed by the ninth article of the Treaty of Limerick, to be taken by the members of both Houses. The insidious pledge-breakers introduced a new oath, denying "that in the Sacrament of the Lord's Supper there is any transubstantiation of the elements;" further, "that the invocation of the Virgin Mary or any other saint, and also the Sacrifice of the Mass now used in the Church of Rome, are damnable and idolatrous." Faithful to their religion, the Catholic Peers and Commoners retired from both Houses sooner than take such a blasphemous oath. In this way the Irish Parliament first assumed in 1692 that exclusively Protestant character which it necessarily continued to maintain until its extinction in 1800. Meantime the ascendancy faction legislated for their own interests. Land, money, and office were the cardinal virtues of their creed. The Catholic religion was legally damnable so long as a Papist possessed an acre of land, a stiver of money, or a paid position. The Parliament of an intolerant faction in Ireland, did not develop or grow with national necessities like the English Parliament. Strange to say, Protestant ascendancy had brains enough to contest British supremacy in legal matters, still the English Parliament denied to Ireland those rights which it had won for itself, by the sword, revolution and regicide.

Lord Capel in 1695, opened the second Irish Parliament of King William, assuring his greedy auditors that "the king was intent upon a firm settlement of Ireland upon a Protestant interest." Large supplies were voted to be levied from whatever little resources were left to the poor Papist, and granted to the resident locusts or exported to England. The House of Commons appointed a select committee to consider what penal laws were already in force against the Catholics, so as to add to their number

and severity. One addition was an Act to deprive Catholics of the means of educating their children at home or abroad. Yet enlightened Britons rail at the "benighted" Irish of the past! In the interests of Mammon-worship and true religion an "Act was passed to banish all Catholic priests;" also a bill to confirm articles—not the articles made at the Treaty of Limerick. Dr. Taylor protests that "the very title contains evidence of its injustice." The Commons passed this bill without any difficulty. The Lords, however—a few of the ancient respectable nobles, and some prelates who believed in a future state—refused to acknowledge as an article of their creed "that no faith should be kept with Papists." Verily a creditable dogma! An Act was also passed for better securing the Government and disarming the Papists. By this Act all Catholics were required to discover and deliver up by a certain day to the justices or civil officers (note, the appellation justices or civil officers as parties to such an unjust, despotic proceeding) all their arms and ammunition. After that day search might be made for concealed arms or ammunition. Here is the reasons why insurrections were not successful; here also is the unconstitutional foundation of the Arms Acts and other statutes which are the favourite enactments of brave coercionist—otherwise, penal-law-makers of modern constitutional days. As to the due and honest preservation of property, it was solemnly enacted in the year 1695 that no Papist should be capable to have or keep in his possession or in the possession of any other, any horse, gelding, or mare of the value of £5 or more; the usual clause being added to induce Protestants to inform and cause search to be made for contraband horses—mark the term those land pirates used: "contraband horses"—the property of the horses to be vested in the discoverer. Here is open daylight robbery legalised, just as felonious exterminating landlordism was sanctioned by usage in a highly Christian community which professed to believe in God's commandments—"Thou shalt not kill; thou shalt not steal." John Mitchel truly stated: "Those two Acts at once bred in Ireland a swarm of informers and detectives, who have been a grievous plague upon the country

ever since," and are still. Another Act was passed by this Parliament "to prevent Protestants intermarrying with Papists, in order to hinder the two nations becoming gradually amalgamated by affinities and family interests." Here we have a strictly legal Parliamentary sanction by law for boycotting, which is a holy horror to Parliamentary descendants, to literary poisoners and moral assassins in our own evil days. An address was presented to William in 1698 by the English Parliament praying him to discourage the woollen manufactures of Ireland and to encourage the linen manufactures therein. He most effectually discouraged the woollen trade, but forgot to encourage the linen.

"The English House of Lords, with that characteristic generosity which is a leading feature in their lordships' thoughtful and unselfish legislation, particularly when Ireland is the subject of hereditary consideration, represented that:— 'The growing manufacture of cloth in Ireland, both by the cheapness of all sorts of necessities of life, and the goodness of material for making all manner of cloth,' having made the king's loyal subjects in England very apprehensive that the further growth of it would greatly prejudice the said manufacture here, and lessen the value of lands; they, the Lords, besought his most sacred Majesty to be pleased 'in the most public and effectual way that may be' to declare to all his subjects of Ireland, that 'the growth and increase of the woollen manufacture there hath long been and will ever be, looked upon with great jealousy by all his subjects of the kingdom of England,' &c., &c.

"The Commons of England, in Parliament assembled:— 'Being very sensible that the wealth and power of this kingdom do, in a great measure, depend on the preservation of the woollen manufacture as much as possible entire to this realm,' conceived that it became them, like their ancestors, to be jealous of the increase and establishment of it elsewhere, and to use their utmost endeavours to prevent it. 'They cannot without trouble observe that Ireland should of late apply itself to the woollen manufacture to the great prejudice of the trade of England. . . . Parliament will be necessitated to interfere to prevent the mischief that threatens. . . . His Majesty's protection and favour in this matter is most humbly implored,' &c., &c.

"William III., the 'king, replied briefly,' says Mr. Froude 'that the wish of Parliament should be carried out, and Ireland was invited to apply the knife to her own throat. Two letters of William to the Lords Justices survive in Dublin Castle, embodying the words of the two Addresses and recommending to the legislature the worst and most fatal of all the mistaken legislative experiments, to which a dependent country was ever subjected by the folly of its superiors.'

"Notwithstanding Molyneux's pamphlet and great agitation, after a bootless struggle on the part of a brave minority the Irish Parliament gave effect to the king's recommendation to the Lords Justices 'to avoid giving jealousy to England by the further maintenance of the woollen manufacture in the kingdom,' and imposed duties amounting to a prohibition of the exportation of Irish woollens. Immediately an English Act of Parliament (10th & 11th of William III., ch. 10) suppressed the manufacture *in toto*. Irish wool and woollen were not in future to be exported to any countries except England and Wales, from which places, as everyone knew they were already virtually excluded by heavy duties."*

CHAPTER X.

QUEEN ANNE, GEORGES I. AND II.

FROM 1703 TO 1760.

"The case of historical writers is hard, for if they tell the truth they offend man; if they write what is false, they offend God."—MATTHEW PARIS.

THE penal code was perfected as an instrument of the Devil in Anne's reign. The second Duke of Ormonde arrived in Ireland as Lord Lieutenant in 1703. The Commons waited on him, presenting a bill for discouraging the further growth of Popery. The 23rd clause of this Act deprived the Catholics of Limerick and Galway

* Lex, Home Rule.

of the protection secured them by the articles of the Treaty of Limerick. Further, if the child of a Papist possessing an estate should conform to Protestantism the parent was debarred from disposing of his property, and the Court of Chancery was empowered to order an annuity out of the estate for the use of such conforming child. Ormond gladly assented to those pledge-breaking laws. As the Presbyterian John Mitchel explained:—

“The English Government never yet observed any single treaty which it was convenient for them to break; and having solemnly agreed by the capitulation of Limerick *not* to impose penalties for Catholic worship, and having so disarmed the Catholic forces and ended the war—that Government, as a matter of course, at once imposed penal laws through their servile Anglo Irish Parliament. Everybody has heard of the terrible *Penal Laws*; but not everybody knows what they were.

“They took charge of every Catholic from his cradle, and attended him to his grave—Catholic children could only be educated by Protestant teachers at home; and it was highly penal to send them abroad for education.

“Catholics were excluded from every profession, except the medical; and from all official stations without exception.

“Forbidden to exercise trade or commerce in any corporate town.

“Legally disqualified to hold leases of land for a longer tenure than thirty-one years; and also disqualified to inherit the lands of Protestant relatives.

“A Catholic child, turning Protestant, could sue his parent for maintenance; to be determined by the Protestant Court of Chancery.

“A Catholic's eldest son, turning Protestant, reduced his father to a tenant-for-life, the reversion to the convert.

“A Catholic priest could not celebrate mass, under severe penalties; but any priest who recanted was secured a stipend by law.

“Here was a code for the promotion of true religion; from whence it may appear, that Catholics have not been the only persecutors in the world. Some persons may even go so far as to say that no Catholic Government ever yet conceived in its heart so fell a system of oppression. However, it may be, a circumstance in favour of the Protestant code (or it may not),

that whereas Catholics have really persecuted for religion, enlightened Protestants only made a pretext of religion—taking no thought what became of Catholic souls, if only they could get possession of Catholic lands and goods. Alas, we may remark, that Catholic Governments, in their persecutions, always really desired the conversion of misbelievers (albeit their method was rough)—but in Ireland if the people had universally turned Protestant, it would have defeated the whole scheme.

“Edmund Burke called this Penal Code ‘a machine of wise and deliberate contrivance as well fitted for the oppression, impoverishment and degradation of a people, and the debasement in them of human nature itself, as ever proceeded from the perverted ingenuity of man.’ Singular that it originated with the ‘Glorious Revolution,’ and was in full force during the reign of William the Deliverer, Anne, and the three first Georges !

“And it answered the purpose. The Irish people *were* impoverished and debased. And so the English, having forbidden them for generations to go to school, became entitled to taunt them with ignorance ; and having deprived them of lands, and goods, and trade, magnanimously mock their poverty, and call them tatterdemalions.

“The Irish Protestant, observes Mr. Wyse, ‘had succeeded in excluding the Catholics from all power, and for a moment held triumphant and exclusive possession of the conquest ; but he was merely a *locum tenens* for a more powerful conqueror, a jackal for the lion, an Irish steward for an English master ; and the time soon came round when he was obliged to render up reluctantly, but immediately, even this oppressive trust. The executive system was turned against him ; he had made the Executive entirely *Protestant* ; the whigs of George I. made it almost entirely *English*. His victory paved the way for another far easier, and far more important.’ ”

The Parliament of 1715 was elected nominally—for there was no real election according to then usage—for the lifetime of the king. This in itself was a gross abuse. The Lord Justices, the Duke of Grafton, and the Earl of Galway, recommend unanimity amongst themselves, as “*at once to put an end to all distinctions in Ireland but that of Protestant and Papist.*” The Catholics were called “the common enemy.”

In 1719 a question of appellate jurisdiction was decided in England against Ireland, reducing the Irish Parliament to the level of a mere provincial assembly. In the Irish Parliament an Act was passed to exempt Protestant Dissenters from certain penalties to which they were liable in common with Papists. In 1723 a bill was brought in "for still more effectually preventing the growth of Popery." Hitherto Catholics might vote at elections, or taking the oaths of allegiance and abjuration; but in 1724 a bill was brought into the Irish Parliament which deprived them of this last vestige of constitutional rights. It was simply entitled "a bill for further regulating the election of members of Parliament," and no intimation was given that any new penal enactment was intended; but without any notice or debate, or any cause being assigned, a clause was introduced which enacted, "that no Papist, though not convict, should be entitled or admitted to vote at the election of any member to serve in Parliament, or of any magistrate for any city or town corporate." The disfranchisement of Catholics is included by Taaffe among the disabilities enacted in the reign of Anne. In order to preclude Catholics from a knowledge of proceedings in Parliament it was made a standing order of the Irish House of Commons in 1713 "that the sergeant-at-arms should take into custody all Papists that were or should presume to come into the galleries. That was the political education vouchsafed to Papists of the period. Parliaments were occasionally held, persecution and plunder being their principal occupations.

In 1749 disputes arose in the Irish Parliament about the appropriation of the surplus revenue, and the question of privilege was revived. A bill was introduced in the Commons to apply the unappropriated surplus to the liquidation of the national debt. The court party alleged that such an appropriation could not be made without the previous consent of the Crown, while the patriots insisted that no such consent was necessary. The subject gave rise to warm and protracted discussions; in 1751 and 1753 the dispute was renewed with increased violence; the Duke of Dorset, who had been a second time appointed

Lord Lieutenant, told the Parliament that the king gave his "consent and recommendation" to the application of the surplus towards the reduction of the national debt; but the formula offended the Commons, who regarded it as an infringement of their privileges and passed the bill without any reference to it. The English Ministry were annoyed and sent back the bill from England with words interpolated in the preamble to express the king's recommendation and consent. From year to year the dispute was renewed, and the patriots continued visibly to gain ground. The Earl of Kildare presented to the king in person a bold address complaining of the arrogance and the illegal and corrupt interference of primate Stone and the Lord Lieutenant's son, Lord George Sackville, in public affairs. This manly proceeding was, itself, an important triumph, and popular excitement ran so high that the Viceroy left the country in dismay; but in the end corruption prevailed. By an ingenious complication of intrigues the patriot party was disorganised.

In 1759 a violent tumult disturbed Dublin, in consequence of a proposal for a Union between England and Ireland on the plan of that between England and Scotland. The people were enraged at a project which would deprive them of their nationality and Parliament, and subject them to the burden of English taxation. A Protestant mob broke into the House of Lords, insulted the Peers, seated an old woman on the Throne, and searched for the journals with a view to committing them to the flames.

CHAPTER XI.

GEORGE III.

1760 TO 1781.

"Ireland as a State, a mere grovelling Colony, regulated by the avarice or fears of a stranger."

IN the Irish Parliament, in 1762, a bill was passed without a division, to enable Catholics to lend money on the security of real property, but was suppressed in England. The following

year the attempt was renewed in the Irish House of Commons, by Mr. Mason, but defeated by a majority of 138 to 53; the Protestant party alleging that the bill had been inadvertently passed on the last day of the preceding session, and that such a measure, if adopted, would soon make Papists masters of a great part of the landed interest of the country.

The patriots were at this time engaged in vehement attacks upon the pension list, which had grown into a monstrous source of abuse. The English Privy Council assumed the right of granting any pensions they chose out of the Irish revenue. In 1763, the pensions on the Irish civil establishment, and therefore not including the military and certain special pensions, amounted to £72,000, which exceeded the civil list by £42,000. The revenue of the country was diminishing and the burdens increasing. At the commencement of that year the Irish debt was £521,162, and at the close it had risen to £650,000. The subject gave rise to violent heats in Parliament; but a juggling and evasive policy, which had become familiar to the Irish government, prevailed, and the efforts of the patriots were foiled. The corrupting influence of the court party was constantly employed to thin the ranks of the patriots, who, finding that the pensions went on multiplying, they took up the general question of parliamentary reform. Hitherto the duration of Parliament in Ireland depended solely on the will of the king, and might be prolonged during an entire reign, as happened in that of George II. In England the duration was limited by the septennial act of George I.; and in 1765, the Irish Commons passed the heads of a similar bill for Ireland; but the measure was suppressed in England, and in reply to an address to the king, a very ungracious answer was returned. Lord Townshend was appointed Lord Lieutenant in 1767, and came over determined to break up a system of corruption, which, although of its own creation, the Irish government then found to be an insupportable tyranny. A certain number of parliamentary leaders were at that time known as undertakers, whom it was necessary for government to keep in its pay, at a large cost, and who "undertook," as the phrase went, upon certain terms, to carry the "king's business" through Parliament. These leaders were made the channels for all places, pensions, and other court favours,—a privilege which was indispensable to enable them to fulfil their compact; and in order to crush the system, it was resolved to make the stream of favour flow directly

from the government. A great commotion in political circles was the consequence : yet, nothing more had been done than to substitute one system of profligacy for another ; and politically by trafficking in corruption more in detail the government soon found that it had only subjected itself to a more oppressive incubus. Lord Townshend's convivial habits and lavish distribution of favours made him for some time popular ; but there were not wanting able and honest men to expose the debasing influence of his policy, and his popularity was soon turned into contempt and detestation. In 1767 another septennial bill was passed and transmitted to England, where it was transformed into an octennial one. By this alteration it was hoped to secure its rejection ; but the Irish Parliament, on the contrary, accepted it as an instalment of reform, and it was regarded as a triumph by Charles Lucas and his friends, after so many years of agitation on the subject. A new Parliament was now to be elected, and in order to secure a strong majority for the government, Lord Townshend scattered bribes profusely, and employed every species of corruption. In all his bargains, however, he was obliged to leave as an open question the right of the Irish Parliament to originate its own money-bills ; and upon this important point he came to a collision with the Parliament, which met on the 17th of October, 1769. The English Privy Council sent over a money-bill which the Irish House of Commons rejected, "because it had not its origin in that house." Following the precedent of Lord Sydney in 1692, Lord Townshend went to the House of Lords on the 26th of December, caused the Commons to be summoned to the Bar, animadverted in strong terms on their proceedings, and having ordered the Clerk to enter his protest on the journals of the house, in vindication of the royal prerogative, prorogued Parliament, which was not again permitted to meet until the 26th of February, 1771.*

It was precisely at this period, when the Executive was putrid with corruption and the administration reeking with abominations, that the foundation was laid of the great contest for legislative independence, for "out of evil cometh good."

In accordance with the natural results of restricted and corrupt representation, in 1769 the first limited Parliament,

* Mainly extracts from Haverty.

held in Ireland after the Revolution, proved totally unworthy of previous anticipations. The Speaker chosen was John Ponsonby. The usual Supply Bill was sent up to the Castle, but on its return from England was found to be altered. Among other changes 15,000 men were charged to the Irish military establishments instead of 12,000. It is worthy of note that in these troublous penal times, with double our present population, 12,000 men were sufficient to garrison Ireland under a native, though ascendancy Parliament. At the present moment, under what is termed Union, or a foreign, alien Parliament, it requires 30,000 men to collect for exportation the rents and taxes from half the number of inhabitants, who are totally disarmed by the beneficent provisions of the British constitution. As in 1753, the Commons threw out the bill. The Lord Lieutenant, protesting against this conduct, which proclaimed the independence of an Irish Parliament, ordered a prorogation. Prorogation followed prorogation until Ponsonby resigned. The patriot Perry took his place. The opposition still continued, until Lord Lieutenant Townshend, falling beneath eloquent speeches and popular enthusiasm, confessed his failure, and resigned the Sword of State to Lord Harcourt, who, like many imported deadhead statesmen of later days, completely failed to remedy affairs. About 1770 England was engaged in conflict with France and America. To each of these foreign wars Ireland made the second largest contribution of men and money. Yet in both cases she was the severest sufferer in the results on manufactures and the general prosperity. Owing to the English policy of crushing Irish home production, the absence of employment in towns threw the labouring classes still more upon the soil for sustenance, while land monopoly and landlord legislation forced them as hopelessly back upon other pursuits than agriculture. Legislative agrarian injustice was encountered by conspiracy. The people had no other resource. They could not fight, as they were undisciplined and disarmed. They were not allowed to assemble for peaceful agitation, emigration as a panacea to depopulate a country not having yet arrived at the dignity of a

philanthropic Governmental nostrum. In this strictly legal manner were the poor peasantry driven into secret, oath-bound associations. As a matter of course, the jobbers and rulers of the country constitutionally declared, with "law and order" formulas, that the miserable Papists were solely connected with those plots. With that even-keeled justice which has distinguished the record of judicial administration in Ireland, and notwithstanding the fact that secret societies have been always forbidden by the Catholic Church, a number of priests were condemned as secret oath-bound conspirators, known in the South as "Whiteboys," in the North as "Hearts of Steel." "The Peep o' Day Boys" were the precursors of the Orange associations, and the celebrated society of United Irishmen was at first mainly Protestant, thus proving that even in distant times omnipotent officialism lived upon lies, thrived in calumny, and subsisted on slander.

In 1773 a bill was introduced to levy a tax of two shillings in the pound on the income of Irish absentee landlords, who would not reside in Ireland at least six months in each year. The measure was exceedingly popular, and the Government supporting it as an open question, rose in public favour, but the violent opposition of great landowners, many of whom resided altogether in England, prevailed, and the bill was rejected. Landholders at all times controlled Governments.

In the Parliament of 1775, Flood was persuaded that nothing less than Free Trade could save the nation from commercial bankruptcy and general ruin. Notwithstanding the prevailing poverty caused by misgovernment, supplies were demanded for the American war. Henry Grattan first appeared in the last session of this Parliament. He moved an address against the pension list in 1777. In the English House of Commons Lord Nugent moved the abolition of the more restrictive clauses of the Navigation Act as to exports and imports. The manufacturing and shipping interests of England became alarmed, and raising such a storm in the towns and cities that the Ministry were compelled to resist the proposed changes. In Ireland Grattan trumpeted the cry of Free Trade, and

the people's loud acclaim echoed the note of their harmonious orator, until the whole Empire reverberated with the sound of the popular demand. In January, 1778, the independence of the American States was recognised in France. Fear is a much greater force than morality with temporising statesmen. Accordingly, soon after a bill for the partial relief of Catholics unanimously passed the English Parliament. Recognising that prudence is the better part of valour, a Mr. Gardner, with the approval of the Government, introduced a similar bill in the Irish House. Although warmly supported by the patriots, the measure was only carried by a majority of nine votes. This proves the character of rotten borough representation. Even in the Lords two-thirds voted for the measure; an instinct of self-preservation prevented their committing political suicide. About the close of 1779, Parliament was again called together. Distress, discontent, and disaffection had increased. Appeals to imbecile administrators and a bankrupt Government received no reply. The people were thrown upon their own resources; agitation for Free Trade and discussions in favour of Irish manufactures became general. The threatening French invasion alarmed the loyal Irish; so an army of citizen soldiers calling themselves Volunteers was started in Belfast. This town had begged in vain for a sufficient garrison. Other cities speedily followed this example. Within a few months a native army, 42,000 strong, was raised. When the Houses of Parliament in Ireland found themselves sustained by such a powerful disciplined force they voted an address to the Viceroy declaring that "the nation could only be preserved from ruin by free trade." This was carried. In 1780 the celebrated resolution of the Volunteers, presided over by the Duke of Leinster, was passed:—

"Resolved—that the King, Lords, and Commons of Ireland ONLY were competent to make laws binding the subjects of the realm, and that they would NOT obey nor give operation to any laws save only those enacted by the King, Lords and Commons of Ireland, whose rights and privileges they were determined to support with their lives and fortunes."

How do the law and order disintegrating loyalist lecturers who denounce Home Rulers as rebels explain the historical fact recorded of an Irish Protestant Parliament led by Henry Grattan, the Duke of Leinster, the Earl of Charlemont, and Henry Flood? After voting themselves free from English control, the Irish Parliament voted £100,000 to raise seamen for the service of England. In the interest of mammon-worship and self-enrichment, the sectarian dominant minority having religiously pauperised nearly all the Papists, and having in 1782 little more to take, the penal laws regarding property were all repealed, and the Papists were placed on a nominal level with Protestants as far as regarded the acquisition of land in freehold or in absolute fee. At the time this was considered a concession, when in reality it was a tragic farce, but nothing else could be expected from a miserably small section of the community nominated by themselves to represent their own interests.

Daunt says:—"The great fault which existed in the constitution of the Irish Parliament was the number of small boroughs which were absolutely under the influence of private individuals and entirely beyond the control of the people. The members nominated by these pocket boroughs at the dictation of their several patrons, composed fully two-thirds of the House, and were necessarily more liable to be corrupted by the Court than genuine representatives of the people could have been." Everything corrupt must decay; the system becomes poisoned and death is the result.

CHAPTER XII.

REIGN OF THE VOLUNTEERS.

1780 TO 1783.

"It is only by making the ruling few uneasy that the oppressed many can obtain justice."—JEREMY BENTHAM.

MACNEVIN relates that at a quarterly meeting of the Volunteers in Dublin, the Duke of Leinster presiding, the following resolutions were passed :—

"Resolved, That Great Britain and Ireland are, and ought to be *inseparably* connected, by being under the dominion of the *same king*, and enjoying *equal* liberty and *similar* constitutions.

"That it is the duty of every good citizen to maintain the connexion of the two countries, and the *freedom* and *independence* of this kingdom.

"That the King, Lords, and Commons of Ireland *only* are competent to make laws, *binding* the subjects of this realm ; and that *we will not obey*, or give operation to *any laws*, save only those enacted by the King, Lords, and Commons of Ireland, whose rights and privileges, *jointly* and *severally* we are determined to support with our lives and fortunes.

"Signed, by order,

"FRANCIS DAVIS, Sec."

The church of Dungannon was chosen for the convention of the delegates. On the memorable 15th February, 1782, the representatives of the regiments of Ulster—one hundred and forty-three corps—marched to the sacred place of meeting two and two, dressed in the various uniforms and fully armed. Deeply they felt the great responsibilities which had been committed to their prudence and courage ; but they were equal to their task, and had not lightly pledged their faith to a trustful country. The aspect of the church, the temple of religion, in which nevertheless no grander ceremony was ever performed, was imposing, or, it might be said, sublime. Never, on that hill where ancient piety had fixed its seat, was a nobler offering made

to God than this, when two hundred of the elected warriors of a people assembled in His tabernacle, to lay the deep foundations of a nation's liberty. Colonel Irwin, a gentleman of rank, a man firm and cautious, of undoubted courage but great prudence, presided as chairman. The following resolutions were then passed :—

“Whereas, it has been asserted that Volunteers, as such, cannot with propriety debate, or publish their opinions on political subjects, or on the conduct of parliament or political men.

“Resolved, unanimously, That a citizen by learning the use of arms does not abandon any of his civil rights.

“Resolved, unanimously, That a claim of any body of men, other than the King, Lords, and Commons of Ireland, to make laws to bind this kingdom, is unconstitutional, illegal, and a grievance.

“Resolved, with one dissenting voice only, That the powers exercised by the privy councils of both kingdoms, under, or under colour, or pretence of, the law of Poynings', are unconstitutional, and a grievance.

“Resolved, unanimously, That the ports of this country are by right open to all foreign countries not at war with the King; and that any burden thereupon, or obstruction thereto, save only by the Parliament of Ireland, are unconstitutional, illegal, and a grievance.

“Resolved, with one dissenting voice only, That a Mutiny Bill not limited in point of duration, from session to session, is unconstitutional, and a grievance.

“Resolved, unanimously, That the independence of judges is equally essential to the impartial administration of justice in Ireland as in England, and that the refusal or delay of this right to Ireland, makes a distinction where there should be no distinction, may excite jealousy where perfect union should prevail, and is in itself unconstitutional and a grievance.

“Resolved, with eleven dissenting voices only, That it is our decided and unalterable determination to seek a redress of these grievances, and we pledge ourselves to each other and to our country, as freeholders, fellow-citizens, and men of honour, that we will, at every ensuing election, support those only who have supported and will support us therein, and that we will use all constitutional means to make such our pursuit of redress speedy and effectual.”

And other minor resolutions. In consequence of this firm attitude, Lord Portland, a Whig millionaire, was imported in 1782 to represent an imperial policy of conciliation and concession dictated by Burke's wisdom and Fox's candour. "Yet," as Magee relates, "by a generous people who always find it more difficult to resist a liberal than an illiberal administration, it was in reality a policy more to be feared than welcomed, for its almost certain effects were to divide their ranks in two sections—a moderate and extreme party—between whom the National cause, only half established, might run great danger of being lost almost as soon as it was won." History repeats itself, and British remedies for Irish diseases have invariably failed, because the doctors mistake the symptoms. Alien misgovernment poisons the entire system. Grattan was anxious to hurry on the work of reform, but another importation—Rockingham—and the Britisher, Fox, urged every possible argument for delay, recognising that delay often kills the patient. But Grattan's ultimatum was sent to England, and finally accepted. The demands were five:—

1. Repeal of the 4th of George I.
2. Repeal of Perpetual Mutiny Act.
3. An Act to Abolish the Alteration or Suppression of Bills.
4. An Act to Establish the Final Jurisdiction of Irish Courts—the Irish House of Lords.
5. The Repeal of Poynings' Law.

This was the Constitutional Charter of 1782, which restored Ireland to the rank of a Nation for the first time in that century. This century is about to witness a more complete restitution of national democratic rights, unlimited by class or creed. About that time a rupture took place between Flood and Grattan. The elder patriot, Flood, saw no sufficient constitutional guarantee in mere Acts of Parliament repealing other Acts. He demanded "express renunciation of legislative supremacy on the part of England," while Grattan maintained "the sufficiency of simple Repeal." Popular discontent was

seething. The question whether simple Repeal of the 6th George I. was sufficient, or whether or not England should be called on to renounce formally her claim to supremacy, was everywhere discussed. Hence "Repeal" and "Renunciation" became the watchwords of the two parties. An open disagreement soon occurred. On the 13th June, 1782, Grattan remarked that a late British Act relating to sugar was so generally worded as to include Ireland, but this was explained as a mere error of the clerks, and one which would be cancelled (English clerks and officials generally have an omnipotent control in manipulating Acts of Parliament to prejudice Ireland). Upon this Flood took occasion to moot the insufficiency of "simple Repeal," and urged the necessity of "express renunciation," on the part of England. On the 12th of July he moved for permission to bring in his Irish Bill of Rights, declaring "the sole and exclusive right of the Irish Parliament to make laws in all cases whatsoever, external and internal." Grattan opposed this, saying "that the legislature of Ireland is independent, and that any person who shall maintain in any other country that a right to make laws for Ireland exists or can be revived is inimical to the peace of both countries." The bill passed, but the people became uneasy; the Volunteers sided with Flood as the Parliament favoured Grattan. Six months later, in 1783 (23 George III.) Flood's resolution was admitted by the English Parliament. Grattan was in favour of Catholic Emancipation, but Flood opposed it. Meanwhile, during this agitation, Rockingham died, and a change of Ministry occurred. Another Englishman, Earl Temple, was imported into Ireland to relieve the Duke of Portland. Several important measures were carried. The monopoly of the Bank of Ireland was established, giving to anti-Irishmen and English financiers the leverage of the national resources and the power of money exportation. A Habeas Corpus Act was given to this country. The Dissenters were relieved from the sacramental test. The Perpetual Mutiny Bill was repealed. The independence of the judges was established. It is useful to note those liberal enactments and just measures pro-

ceeding from an Irish Parliament partly chosen, or rather nominated, from a small dominant section of the nation. On the 27th July this eventful session was brought to a close. A new Parliament was summoned for October. The question of Reform was agitated. It was not until 1832 Reform was granted in England. Irishmen appear to have had more liberal political instincts than coercion teachers. The Irish House of Commons in 1783 was then composed of 300 members; 64 were returned for counties, and of the remainder, 172, or a clear majority of the whole House, were sent for close boroughs—that is to say, directly represented money, monopoly, and land, because those rotten boroughs were the property of a few lords—always the opponents of the people, even of their own creed—and of some wealthy commoners, mammon-worshippers, and man-haters generally. Those seats were publicly bought and sold as marketable merchandise. Verily, money-changers in the temple of law-making! Outside those corrupt representatives, other members were also purchased by the Government using the people's taxes to bribe their nominal representatives to betray them. It is almost miraculous how a Parliament so constituted could have passed any sound legislation. It goes to prove that the foreign English Parliament must have been convicted in the minds of all Irishmen of desiring the complete extinction of all things Irish—which, indeed, has been nearly accomplished since that blessed Union, which certain “loyalists” are desirous to maintain, so that they may thrive upon national decay. At the best of times in the Irish Parliament only a few members could be said to represent the people honestly, and in point of numbers they formed an insignificant minority, formidable only from its talents, eloquence, and love of justice, opposed to bigoted, silent stupidity. The Volunteer delegates met at Lisburn and Dungannon to discuss the equal representation of the people in Parliament. The other provinces took up the movement, and a convention assembled in Dublin on November 1st. The Government became alarmed, and with their customary duplicity contrived to introduce dissension. Hypocrisy has always

been regarded as a virtue by the shining constitutional lights jerked over from England to rule Ireland without any faith in justice, kindness, or conciliation. On the 29th November, 1783, Flood brought before Parliament the plan adopted by the convention. It was proposed to extend the franchise to every Protestant freeholder possessed of a lease worth 40s. a year. So in the eye of the law, only one hundred years ago, there was no such object visible as a Catholic voter. It was also proposed to extend the borough constituencies, pensioners of the Crown to be incapable of election, voting to be held on the same day, the duration of Parliament to be limited to three years. Lord Avonmore condemned the Volunteers, with stupid aristocratic intolerance, as "audacious men attempting to dictate to the Crown," forgetting that the Crown is the gift of the sovereign people. Two days later the convention met and adjourned. This was really the last important day of the Volunteers.

CHAPTER XIII.

HOW THE IRISH PARLIAMENT WAS DESTROYED.

"In this great and powerful machine there was one principle of self destruction working stealthily but surely the ruin and disorganisation of its power. INTOLERANCE was that evil and malignant principle planted in Ireland by English policy."—MACNEVIN.

THE session of 1785 was chiefly occupied debating the cross Channel trade 'twixt England and Ireland. It was proposed that Ireland should contribute a quota for the protection of the general commerce of both countries. The English manufacturers, with that grasping spirit of monopoly which still distinguishes certain free traders, became alarmed lest the Irish should in any way share the advantages to be deprived from foreign commerce. This jealous policy of commercial extermination is to-day as active as it ever was, by means of through rates and native railway extortion, by the exportation of Irish money to be lent to English manufacturers, and by anti-Irish bodies calling

themselves Chambers of Commerce, Docks Boards, Harbour and often Town Commissioners, tram and railway directors, commission agents, and contractors, whose every act tends to the importing of foreign goods and preventing the development of native manufactures. Pitt assured the English monopolists that Ireland would derive little advantage from the bill. He altered the measure so much that when it was returned to Ireland in August it had ceased to be the same enactment. Grattan now saw he had been mistaken in '82. An honest Irish gentleman was not mean enough to compete with the low hypocrisy, the cunning, and the lying which passed for statesmanship with English law-makers for Ireland. The bill was rejected by the Irish Parliament, and Pitt never forgave the Irish House of Commons. In 1785-86, the opposition to the importation of English manufactures was renewed, leading to violent proceedings. The Whiteboys were revived, under the name of "Right Boys." Taxes, tithes, Church rates, and rackrents had almost driven the famishing peasantry to madness. The law afforded them no relief. As in later days, law and order meant the legal privilege to rob, tax, and pocket. Legislation provided no barrier against tithe-proctors, tax-collectors, landlords, or middlemen, or the cruelties practised under the guise of law by unjust, despotic, partisan magistrates. Justice being utterly unattainable from the Governmental machinery, the people accordingly sought protection in their own system of wild justice. Grattan made various efforts in Parliament to obtain an inquiry into the causes of agrarian outrages, but landlord legislators were just as ill-disposed to endeavour a remedy for tenants as royal commissions are now inclined to allay the wrongs of democracy caused by the aristocratic influence upon Government and administration. In 1790 the Catholics resolved to apply to Parliament for relief from their disabilities. They had hitherto timidly abstained from all agitation. They were further awakened by a division into an aristocratic and democratic party. The French Revolution naturally widened this breach. John Keogh, John Sweetman, Rice, M'Corrie, and Edward Byrne were prominent men.

Theobald Wolfe Tone and several other Protestant gentlemen offered their services. This union of different religions alarmed the Government, whose motto and practice had ever been and ever will be "Divide and conquer." As usual with tyrants, fear accomplished more than reason. In 1793, under pressure of renewed war with France, and in order to detach the timorous, slave-driven Catholics from the more active and dangerous politicians of other creeds, the Government philanthropically brought in the relief bill of 1793. In 1794 Hamilton Rowan was prosecuted for an address adopted at a meeting of United Irishmen held two years before. Although defended by Curran, he was convicted, fined £500, and sentenced to two years' imprisonment; but he made his escape. Pitt's favourite tactics were disunion and hypocrisy. In 1794 he pretended to abandon his policy of coercion; so, many of the Whigs joined him. Lord Fitzwilliam came over as Viceroy, but found in Dublin Castle a system established utterly incompatible with any honest constitutional form of government. He at once set about reforming it, not recognising that earthly pandemoniums required abolition, being incapable of reformation. Of course the permanent corrupt Castle officials had him suddenly recalled. Decent, moral men were scarcely ever allowed to exist within the precincts of Dublin Castle. In 1795 Lord Camden, his successor, pursued an opposite policy. The political apostate, Lord Castlereagh, became an active member of the Irish executive. The number of bungling, take-salary and grasping lords sent over to mismanage Ireland should be a sufficient proof of their incapacity as a governing class. The Catholics were systematically goaded into rebellion by the paid agents of the British "law and order" hypocrisy. Persecution fills the intervening space. Lord Moira in the English House of Commons gravely mentioning many acts of perfidy, injustice, outrage, and robbery, adds: "These were not particular acts of cruelty, but formed part of the new system." Lord Cornwallis was appointed viceroy in 1798, although he intended to carry the Union he was not so brutalised by his desire as the sanguinary anarchist Pitt. The Lord Lieutenant was

blamed for mercy—he wrote as follows to General Ross, 15th April, 1799:—

“You write as if you really believed there was any foundation for all the lies and nonsensical clamour about my lenity. On my arrival in this country I put a stop to the burning of houses and murder of the inhabitants by the yeomen or any other persons who delighted in that amusement, to the flogging for the purpose of extorting confession, and to the free quarters, which comprehended universal rape and robbery throughout the country.”

Again he writes:—

“You will have seen by the addresses both in the north and south that my attempt to moderate that violence and cruelty which has once driven, and which, if tolerated, must again soon drive this wretched country into rebellion, is not reprobated by the voice of the country, although it has appeared so culpable in the eyes of the absentees.”

If further proof be required it is furnished in his letter to Castlereagh, declaring, “The rebellion assisted in carrying the Union.”

Any amount of documentary evidence could be produced to prove the horrible fact, that an English minister deliberately sacrificed the lives, liberties, and fortunes of Irishmen, and the virtue of Irishwomen to carry a pet political project of injustice. General Cockburn is precise and substantial. Writing, he says—

“They (the documents) contained details of the most horrible outrages on the people; of cruelty and foul deeds that, perhaps, after all it may be as well to have now effaced from Irish records of violence; and although the people were in many cases driven to retaliation, it was not before murder, burning, destruction of property (often on suspicion of being suspected), and flogging, drove them to desperation.”

Instead of promising redress or attempting reformation, the legal policy was to provoke the people and persecute the popular leaders, who were driven into revolt by the connivance and deep laid schemes of governmentalsists headed by the British Premier.

Emmet, in his examination before the Lords Commis-

sioners, expressly declared on oath that if there had been any reasonable hope of Reform being adopted, even so late as 1797, the Executive would have broken off the negotiations with France. "Was not your object in forming the organisation to effect a revolution?" Arthur O'Connor is asked. "If our mere object had been to effect a revolution," is the reply, "the British Ministry and the Irish Government were effecting one more violently and rapidly than we wished for; we clearly perceived that the measures they adopted to prevent revolution were the most effectual that could be devised to ensure it." Asked whether the Union was not designed to destroy the Constitution and set up a Republic, he answers: "Certainly not; for all we wanted was to create a House of Commons which should represent the whole people of Ireland; for that reason we strove to dispel all religious distinctions from our political Union, and after we had destroyed your usurpation of our National representation, and that we had set up a real representation of the whole people of Ireland, we were convinced there was no evil which such a House of Commons could not reach." Dr. M'Nevin is questioned by the Lord Chancellor, "Was not your object a separation from England?" "It certainly became our object when we were convinced that liberty was not otherwise attainable; it is a measure we were forced into, inasmuch as I am now, and always have been, of opinion that if we were an independent Republic and Britain ceased to be formidable to us our interest would require an intimate connection with her."

CHAPTER XIV.

HOW THE UNION WAS CARRIED.

CONSTITUTIONAL REMEDIES TO MANUFACTURE REBELLION
AND LEGAL POISON TO CORRUPT PARLIAMENT.

1797.

“Whatever may be thought of the abstract merits of the arrangement, the Union (of England and Ireland) as it was carried, was a crime of the deepest turpitude.”—W. E. H. LECKY.

UNDER the fraudulent franchise and sectarian representation a few patriots could not successfully compete with the conspiracies of Governmental rebellions, placemen's bribery, and disunion sown by official hypocrisy. Those were the virtuous means used by the saintly upholders of the integrity of the empire about the year 1797. Consequently, in the autumn of that year a perceptible disunity of purpose was discernible in the mode and action of Protestants and Catholics. The poor Papists began, particularly in the North, to publish fawning addresses and slavish resolutions expressing their horror of the principles of the United Irishmen, and pledging themselves to be loyal in support of the king. One would imagine English royalty was the sun of prosperity to Irish Catholics instead of being at that time a blasting influence to their happiness, preservation, and property. This idolatrous example was generally followed by the Dissenters, as Mitchel wrote:—“If addresses were tests of loyalty, his Majesty had no more loyal subjects than the Irish in the beginning of 1798.” But paper loyalty evoked by pressure, like a parchment charter, is soon consumed by the fire of oppression and the flame of injustice. The Catholic addresses were chiefly procured by the influence of the bishops and higher clergy, who were much relied on about this period to keep in good humour the few remaining upper-class Catholics loyal to the English Government and disloyal to Ireland.

As a means to this end the College of Maynooth had been opened in 1796, and for the first time Catholic young men could be educated for the priesthood without incurring the penalty of death or transportation. This was regarded as a great boon by the majority of a generation who seemed to forget that the Irish Church was the most richly endowed in Europe when our British civilisers came and despoiled the monasteries, colleges, schools, and glebe lands. Then, as now, it was fashionable not to revert to the past, only look forward to the promising future. So the Parliamentary grant was increased in 1798 from £8,000 to £10,000. What scanty restitution, remembering that Trinity College has for centuries absorbed £84,000 per annum—an income mainly derivable from the plunder of Catholic lands and revenue! All this money was and is spent to educate cheaply the anti-Irish Irishmen, so that they could be intellectually armoured to make war upon their fellow-countrymen.

The modern Athenian Sophists being salaried to make the worse appear the better cause. Having thriven upon the educational outdoor relief granted by a faction from National resources, the recipients exhibit their intellectual political pauperism by "*hookem snivey*" verbiage. Moral philosophy is resurrected from the tomb of the French school where burial is safety.

In the prevailing low public spirit this grant was regarded as a great conciliatory measure. Acting upon the leading principles of English wire pullers, hypocrisy and plunder, the members in Ireland of the Government deceived the confiding Catholic bishops by implied promises to complete Emancipation. In this way the unity and strength of the United Irish Society was partly broken up in the North; but its increase in the other provinces alarmed Pitt, who found it becoming too dangerous and extensive for his purposes, although he had connived at its inception that he might use it as a tool to destroy Irish legislative freedom. Pitt always designed to effect some mysterious purpose in Ireland. The insurrectionary spirit which had manifested itself in England and Scotland was immediately crushed. Lord Melville

had obtained and published prints of the different pikes manufactured in Scotland long before that weapon had been artificioed by the Irish peasantry. But in Ireland, although the Government had full and complete knowledge of all the working of the United Irish Society, it was not noticed, because a Governmental rebellion is the easiest mode to exterminate a people. In our own day the "law and order" lecturers and the journalistic scurrilous scribes who taunt the Irish race with a want of courage because they do not madly rush into destruction unarmed and undisciplined, desire to repeat the devilish design of Pitt. He conceived the necessity of forcing a premature explosion by which he might excite sufficient horror, terror, hatred, and revenge throughout the entire country to serve his nefarious purpose. Thus he intended to suppress the conspiracy which he had allowed to bud, afraid its fruition might be beyond his power. Lord Camden personally was an excellent man, but was used as a cruel instrument in the hands of Pitt. Most Irish Viceroy's are chosen for their incapacity and heartlessness, so that English Premiers may not be troubled by any scruples in the conscience of their puppet, or questioned by the intellectual equality of a really competent ruler. It was necessary to appoint nonentities to enable the swindle called Union to be effected. Sir Jonah Barrington, in the "Rise and Fall of the Irish Nation," published in Paris, 1833 (another expedient of civilising rulers is to prevent publications which tell the truth), says: "More than thirty summers have now passed since that disastrous measure called the Union extinguished at one blow the pride, the prosperity, and the independence of the Irish nation; a measure which, under the false colours of guarding for ever against the disunion of the empire, has taken the largest and surest stride to lead to its dismemberment." How truly this prediction has been verified by the events from '33 to '86! During the wise reign of Earl Fitzwilliam, with a resident legislature, five thousand men were sufficient to garrison Ireland. Under the present *regime* of alien legislation more than thirty thousand soldiers are found to be required to enforce obedience to

the arbitrary edicts of an Imperial Parliament, and this expensive, tragical farce is termed Union! The appointment of the said Fitzwilliam was the deepest and most treacherous fraud ever perhaps contemplated by any Minister. Pitt had never been in Ireland, and he experienced difficulties he did not quite anticipate. He fancied he might excite and suppress commotion according as it suited his ideas. Most British Premiers imagine the Irish people are merely plastic material—toy machines to be moved and moulded just as the sweet will of alien rulers dictates. These imperious individuals, from Pitt down, apparently ignore the fact that Government is merely the creature of the people, that its salaried Ministers are the paid servants of the community to work out the doctrine of public utility. But in the interests of the commoners—that is to say, the dominant minority or British garrisons in Ireland—coupled with a view to enrich England, Pitt decided upon forcing a premature insurrection, never counting the lives that would be lost, nor calculating the inevitable hatred that might be and has been perpetuated against the British Government. Then this was called statesmanship, just as coercion, imprisonment without trial, packed juries, and the hangman were lately styled constitutional Government. Lord Fitzwilliam, a pure and respected Whig leader, was selected under the supposition he was to tranquillise and foster the country. With that philanthropic hypocrisy which was the basis of all dealings with Ireland by the average British Statesmen, Pitt simply wanted a high-minded, popular victim as an instrument to agitate the mere Irish. Lord Fitzwilliam had large estates in Ireland, and was an indulgent landlord, beloved by his tenants and generally well liked; Pitt assured him that he should have the gratification of fully emancipating the Catholics. Fitzwilliam accepted the Viceroyalty only on that consideration. Pitt's plot was to inflame the country, throw upon the Viceroy the insinuation of obedience, and openly charge him with a precipitancy of which he himself was the real author. Lord Fitzwilliam, who was received with open arms by the Irish people, immediately

commenced his arrangements; at the same time Pitt began secretly to counteract them. Lord Fitzwilliam was deceived, circumvented, or thwarted in every single important act of his Government. Pitt, having accomplished his end by raising the hopes of the Catholics, recalled Fitzwilliam, and by various tantalising measures inflamed the Catholic mind to the degree needful to generate the commotion he wanted. Thus the Irish Protestants, he calculated, would be thrown into the arms of England for protection. Meantime he reckoned the terror would be aggravated by the mingled conflicts of parties—Royalists and Republicans. The base, low, lying deception practised upon Lord Fitzwilliam by the first citizen of the Empire—*alias* an English Premier, Pitt—can be proved by reading Lord Fitzwilliam's letters to Lord Carlisle, where this contemptible chicanery is exposed with the accuracy and weight which so remarkable and discreditable an incident in both Irish and English history requires. The day Lord Fitzwilliam arrived peace was proclaimed throughout all Ireland; the hour he left she prepared for insurrection. This is a creditable record for the disunited unionists, disloyal loyalists, and opposing coalitionists, who now adore the solemn holy union, to found their faith on. It is undesirable to wade through the torrents of blood, the horrible massacres, the rapine, plunder, rapes, burnings, bayonetings, starvation, and desolation, which sorrowfully marked the track of Pitt's governmental rebellion. The harrowing history of that awful period should teach Irishmen to be cautious, careful, and constitutional, in this fateful crisis, when a crime or division is most precious to outrage mongers and slanderers, who desire to fatten upon the decay of Ireland, and to revel in despotism, amidst the ruins of her liberty.

CHAPTER XV.

UNITED IRISHMEN, 1798.

“If I were an Irishman, I would be a rebel.”—SIR JOHN MOORE.

ABOUT the end of 1791, Wolf Tone, a Protestant barrister, visited Belfast, where the French revolution was celebrated by armed volunteers and townspeople generally. Tone had noted the treacherous cunning conduct of the Government, and with popular Northern leaders saw that an open legal constitutional organisation, to accomplish parliamentary reform and complete Catholic emancipation, was the only course for Ireland. Thus was started the Society of United Irishmen. By governmental persecution, lies, libels, and the cry of French principles, by degrees the popular leaders were forced outside the limits of constitutional agitation. Naked tyranny, combined with law and order firmness, administered by an oligarchical party, drove earnest determined men into an oath-bound and secret society. The United Irish leaders were in correspondence with the French directors. British civilizers were glad of the fact, knew it, and ridiculed the idea until Hoche appeared in Bantry Bay. Then the constitutional governmentals decided to force the conflict by the devilish means already explained. In 1796 an Insurrection Act was passed, making the administration of an oath identical with or similar to that of the United Irishmen punishable with DEATH. 80,000 mercenaries and yeomen, with FREE QUARTERS, picketing, lashing, rapes, and robbery were the order of the day, and military law dispensed with the ordinary forms of trial, so that punishment might quickly and invariably overtake those who were accused on any pretence whatever. The United Irish leaders tried to keep the people in restraint. The Government goaded them into action. On the 12th March, 1798, the supreme Council or Directors, with its returns, list, and muster rolls were seized. Lord Edward Fitzgerald only escaped. John and Henry Sheares, and Doctor Lawless stepped into the breach of danger. The date for the rising was fixed for

the 23rd May. On the 18th Lord Edward was taken by Sirr, after a mortal struggle, and died in the Castle on the 4th June. On 21st May Sheares was arrested, and hung on 12th July, after the farce called a trial was acted. Wexford rose and fought nobly. Humbert came to Killybegs Bay with one thousand men, and Cornwallis swooped down with 30,000 men. Rising too soon, and help coming too late, epitomises the '98 rebellion. It is almost outside the scope of Irish Parliaments to refer to this important episode, but it is necessary to understand administrative tactics. Coercion Acts have succeeded Insurrection Acts, because the people have been disarmed. The Land League, although an open constitutional association, immediately it became powerful to cope with the governmental oppression, it was declared illegal, its leaders imprisoned. Every local man of any public spirit was thrown into jail without trial. It was not convenient to hang them all, but innocent men were done to death by means of the most approved law and order jury-packing constitutional practice. Later on it was beneficently intended to suppress the National League, and an organized attempt, by means of general wholesale evictions to create disturbance, was tried and is being carried on, so that rulers may have an excuse for Martial Law and civil despotism. The bitter experience of the past teaches that "prudence is the better part of valour."

CHAPTER XVI.

GENERAL OPPOSITION TO THE UNION, AND IRRESPONSIBLE GOVERNMENT.

"Tyranny is not government, and allegiance is only due to protection."
—BISHOP OF DERRY.

IN 1799, although the country was under Martial Law, and occupied by an army of aliens 137,000 strong, still the gentry and people made many efforts to retain their native Parliament. They signed petitions *against* the Union to the number of 707,000, whilst all the Government could obtain in favour of the accursed Union was 3,000, although they canvassed schools and procured signatures

in gaols and other kindred institutions of British Parliamentary rule in Ireland. The constitutional body of the Irish Bar protested against it. King's Counsels and the most eminent lawyers orated in solemn meeting. Goold said:—"There are 40,000 British soldiers armed with 40,000 bayonets at my breast, the Minister shall not plant another Sicily in the bosom of the Atlantic; our patent to be a state, not a shire, comes from Heaven." 236 votes were recorded against the Union and 32 for it. Every one of the Unionists was rewarded with places ranging from £5,000 to £800 per annum. Men of intellect clearly foresaw the curse of bureaucratic centralisation and consequent pauperism, of petty provincial patronage and practice; but West-British factionists have taken care to silence the lawyers in Ireland by judicious subsidies liberally applied in the proper political quarters. The bankers petitioned against the Union, foreseeing that London would become the emporium of wealth. And so it has come to pass. What are called Irish banks are often collectors for English discount houses, exporters of money earned in Ireland to be spent in England, channels for the flow of rents to absentee landlords, agents for the exportation of taxes to be used in payment of English labour in Government stores and of imported Governmental officials. All this was clear to the minds of financiers who were not insane upon the fashionable humbug, "the importation of English capital," which is of no use when every available cent of Irish earnings is seized upon by the rapacious claws of foreign rulers, aided by anti-Irish Irishmen.

The Bill was rejected in 1799. But Pitt and Castle-reagh—*arcades ambo*—redoubled their efforts. Peerages, bishoprics, seats on the bench, and commands in the army were given for votes. Money bribes were also freely offered. Such political turpitude, moral degradation, and flagrant prostitution of government has never been equalled in history. Those traitors sold what did not belong to them—the liberty of Ireland and its right to self-government. This clearly was a swindle, yet the descendants of those sharpers prate of the sacred Union.

Sir Charles Gavan Duffy recently explained how an irresponsible Government bartered the rights of the Irish nation.

“Responsible government only existed in a rudimentary condition in England in the eighteenth century; in Ireland it did not exist at all. The personal prejudices of George III. or of his mother, called a Court favourite to power in London at the opening of his reign, and sacrificed to this minion the most popular and gifted statesman in the country. Later, when the House of Commons began to exercise some semblance of the control which it now enjoys, through Ministers possessing its confidence, the king took an effectual method of overriding its authority. A personal party of ‘King’s friends,’ recruited from the most accommodating and unprincipled men in public life, and paid out of the Privy Purse, was unblushingly employed to outvote the King’s Ministers whenever their policy crossed the narrow and besotted designs of the Sovereign.

“But bad as the English system was, the Irish system was only a base parody of it. If the *quasi* government of Ireland mooted any design in favour of public liberty, the Lord Lieutenant was instructed to plot and intrigue, and even to employ the money and patronage of the State to buy votes, against them. It was never a difficult task. The Anglo-Irish nobles, who had a retinue of followers in the Lower House and dominated the Upper one, were as practised jobbers as the English squires who swelled the majorities of Sir Robert Walpole and the Duke of Newcastle, or the shameless Scotch intriguers of the revolution under William III.

“And not only did responsible government not exist, but the House of Lords was packed with English officials, and with men who had got the bribe of an Irish peerage for some discreditable service, because they did not happen to need the bribe of a thousand pounds in hand. The second chamber in Grattan’s Parliament was so constituted that good government was impossible under it; it was more hostile to all Irish aims which did not profit landowners than the corresponding House at Westminster. An ascendancy judge of that era, who was hob-nobbing daily with the men he depicts, has left (in his private diary) a graphic picture of the magnates of the two Houses.

“‘The Irish Government,’ says Lord Clonmell, ‘resembles

extremely the state of Hottentots in Africa. The common Irish, divided, dispersed, pillaged, abused as they are, are the Hottentots; the English administration are the Dutch planters; the followers of the Lord Lieutenant are the bushmen or spies and swindlers; and the wild beasts, lions, &c., are the *Irish satraps*.'

"This feeble and hybrid system was held in check by devices which would have rendered a great democratic Assembly helpless. No bill could be introduced in either House by an Irish Minister without his having previously obtained the assent of the Viceroy at a time when such assent was not a mere ceremonial, but an agency for enabling the patrons in London who appointed the Viceroy to control the policy of the Executive who were supposed to advise him. And after a bill had passed both Houses, it had to run the gauntlet of new critics. It only became law when it received the assent of the Sovereign under the great seal of England, which was in the possession of the Cabinet at Westminster. This was a provision which in effect rendered the Parliament of Grattan the thrall of England; not an independent, but essentially a dependent and limited Legislature.

"Had Responsible Government existed, the Declaration of Irish Independence would have made Grattan and his chief associates the Government of the country. Their public policy would have been in harmony with that declaration, and the great work which it only begun would have been completed. Catholics would have been emancipated, a 'concession' (as it was called in those days) which the Volunteers had demanded equally with the independence of Parliament. The representation of the people in the House of Commons would have been put on a reasonable footing, instead of being left the plaything of patrons and jobbers. There would have been no insurrection, for the country would have got what it wanted through constitutional agencies, and there would have been no Union, for the representatives of the people would have been the spokesmen of their real sentiments and desires, and would never have assented to that measure."

The so-called House of Commons mainly represented the individual interests of the locusts who were termed members of Parliament, they having been nominated by Government to uphold its behests. In the Lower House there were 116 placemen wholly, solely, and entirely dependent on the Government for their daily bread—political beggars without means or

principles. Several respectable independent members who could not bring themselves to vote for the destruction of their native Parliament vacated their seats for the admission of Scotchmen and Englishmen. The members who distinguished themselves in opposing the baneful Union were Grattan, Ponsonby, Bushe, Saurin, Speaker Foster, Jebb, and Plunket.

CHAPTER XVII.

THE SACRED TERMS OF THE UNION.

“Every proposal for the advantage of Ireland was held a direct attack on the interests of England.”—THEOBALD WOLFE TONE.

IN 1799 there were a number of new elections because members had resigned their seats. Plowden, in relating this, with the usual candour of British historians, when anything discreditable to Government should be chronicled, does not state what those terms were. Pharisaical journalists still pursue the same literary policy, adopting moral assassination and suppression as honourable weapons against the reputation of the nation wherein they are permitted to exist by libelling its people. The political swindlers who sold what did not belong to them—the legislative independence of Ireland—made sale and bargains through Lord Cornwallis as the remote, Lord Castlereagh as the intermediate, and Secretary Cooke as the immediate agent. This dishonest transaction places England in the position of a receiver of stolen goods. Her statesmen purchased openly that which those mercenary salesmen had no legal right to dispose of. Immediate restitution would be given if honour, truth, and justice were not displaced by the desire of greed, power, and place amongst those who are designated Imperial Unionists, anxious only for the integrity of their purse, but careless for the welfare of the Irish people.

Those gentlemen follow the approved traditions of British rule in Ireland, for in order that Government should ensure a continuance of the support of its venal nominated members, it became necessary to pay them highly, as the law and order integrity oracle of the time, Lord Castle-

reagh, boldly announced his intention to turn the scale by bribes to all who would accept them, under the name of compensation for the loss of patronage and interest. He shamelessly and publicly declared: (1st), that every nobleman who returned members to Parliament should be paid in cash £15,000 for every member so returned; (2nd), that every member who had purchased a seat in Parliament should have his money repaid to him out of the treasury of Ireland; (3rd), that all members of Parliament or others who were losers by the Union should be fully recompensed for their losses; and that £1,500,000 should be devoted to this service, or as Mitchel said: "All who should support this measure under some pretext or other were to share in this bank of corruption." What a humiliating reflection for the consideration of sanctimonious Unionists! This compensation or corruption fund represents only a small part of the bribery. What holy horror should strike the loyalists to learn that over one million sterling was paid out of the secret service money for votes—that is to say, the ancestors of the contemptible minority, who appear now to be concerned for the integrity of the empire, were paid for their votes out of the same fund as are informers, perjurers, and other versatile alumni who study the higher classics of British Governmental professors in Ireland.

The blue-blooded nobility of Ireland scoff at the honest working democracy—yet forty of those peerages were conferred as bribes on political cheats who were glad to have a country to sell, and sold it though it did not belong to them.

The turpitude was so general and flagrant that a regular commercial tariff of prices for Union votes was quotable as a marketable commodity. £8,000 was the general figure, or if a saintly Unionist had any qualms of conscience in taking hard cash for open profligacy, £2,000 a year was ensured in some office, so that he might still pose as an undefiled politician. Treachery of this sort is easily paid for out of the public purse. Bishoprics, chief justiceship, and puisne judgeships, were bestowed as the reward of corruption. Men who had, like cowards,

asserted their country in her need, were appointed commanders of regiments and captains of ships. It has been calculated that the total amount so criminally expended was about five and a half millions. If bribery upon the same scale was now judiciously carried out in the English Parliament, it might be quite possible that a majority could be obtained which would sell England itself to any Government which would supply the money. When the bill legalising corrupting compensation had received the royal assent, the Viceroy duly appointed four commissioners to carry its provisions into execution. These were members of Parliament whose salaries of £1,200 a year each were a tolerable consideration for their former services. Annesley, Hamilton, and Duignan were commissioners. Their proceedings are not fully recorded. Hypocrisy and swindling do not write their own condemnation. Sir J. Barrington laments "that the great and important grants, the private pensions"—a secret compensation—have never been made public further than by those who received them; but it is known that Lord Shannon received for his patronage in the Commons £45,000; Marquis of Ely, £45,000; Lord Clanmorris, besides a peerage, £23,000; Lord Belvidere, £15,000; Sir Hercules Langrishe, £15,000. Those names are given as particular instances of the barter which disestablished Ireland as a nation. The immediate effects of the Union may be easily deduced from Parliamentary Paper No. 35 of 1819, as follows:—

The national debt of Ireland commenced in 1715; it was then £16,106 11s. 0d. In a short time it increased to £371,312 12s. 0d., through internal dissensions, fomented by misgovernment, with the expenses chargeable on the unfortunate oppressed natives who had no share whatever in controlling the abuses but had to pay for their sufferings; it gradually rose as their ability to pay decreased.

The Irish income and expenditure, as calculated in 1763, stood thus: the military expenditure for two years, £980,956; the civil ditto, £242,956; extraordinary and contingent expenses, £300,000; total expenditure for two years, £1,523,212; total revenue for that period,

£1,209,864 ; excess of expenditure to be added to national debt, £314,248.

After the Union :—

Year.	British Debt.	Annual Charge.	Irish Debt.	Annual Charge.
	£	£	£	£
Jan. 5, 1801	450,504,984	17,718,851	28,545,134	1,244,463
Jan. 5, 1817	734,527,104	28,238,416	112,704,773	4,004,514

This shows whilst the Imperial Government did not double the British debt they quadrupled the Irish debt. By this system of embezzlement the Irish debt, which in 1801 had been to the British as one to sixteen and a half, was forced up to bear to the British debt the ratio of one to seven and a half. The money bribes which were given to the traitors who sold their country were charged as a debt to Ireland. The justice of this financing would be only equalled by bribing a ruffian to murder an individual, paying him liberally for the foul deed, and then taxing the murdered man's relatives to pay the cost of the assassination. This is exactly what has happened in Ireland. But the circumstances are rendered more intolerable by the fact that, as Sir J. N. M'Kenna has incontestably proved, Ireland is doubly taxed in proportion to England.

The little stream of Irish debt has been mingled with the ocean of British indebtedness, so that no trace can be properly obtained of relative proportions. British calculating machines can be produced at any time to manufacture figures and results which suit capitalists, monopolists, absorbers, and political economists.

CHAPTER XVIII.

PROSPERITY AND ANTI-UNION MOVEMENTS.

“Nothing is plainer than that the people have a right to the laws and the constitution. This right the nation hath asserted and recovered out of the hands of those who had disposessed them of it several times.”
—SIR JOSEPH JEKYL.

WHEN the fee simple laws and constitution were vested in Ireland as a nation, it prospered, developed trade, and propagated peaceful arts. During 18 years of self-government, Ireland progressed more than it did from 1172 to 1782, and from 1800 to 1886. A few details may be interesting.

1783—New Castle Market, George’s Street, Black Hall ; do. opened.

1785—East part of Bank of Ireland erected at a cost of £25,000.

1786—New Four Courts commenced to be built.

1787—Western portion of bank erected, cost £30,000.

1789—Royal Canal Company incorporated, capital stock, £200,000.

1791—Parliamentary grants of £45,000 for constructing docks on north and south sides of the Liffey.

1791—Carlisle Bridge commenced ; navigation of Grand Canal extended to Athy.

1793—Act passed for relief of Roman Catholics in Ireland.

1794—Act for granting to Ireland a share in the monopoly of the East India trade.

1796—Foundation of Commercial Buildings commenced ; floating and graving dock near Ringsend opened.

CANALS.

It is impossible to obtain full information as to the total amount expended on the inland navigation of Ireland, but there is evidence that at least £1,261,208 was advanced by the Irish Parliament in furthering schemes of improvement of this kind.

In the Report of a Committee of the Irish House of

Commons on Inland Navigation, presented on the 23rd June, 1800, it is stated that "Inland Navigation has been an object of Parliamentary attention from a very early period, the journals stating proceedings and grants from the year 1703." Thus it will be seen that the canals of Ireland were initiated under a paternal government half-a-century before they were introduced into England, whilst in our powerlessness to legislate for ourselves we were left considerably behind our English neighbours when the days of railway development commenced.

England grew jealous and fomented disunion, just as sanctimonious Pharisees now desire to multiply disorder, and National journalists have gone through the fiery ordeal of Press persecution which always signalizes a minority government. In rebellion times Finnerty, Magee, and Moore were also recipients of the delicate attention which Castle-hacks pour out so liberally towards Irish Pressmen who desire to "spread the light" and dissipate darkness.

James Moore, of 45 College Green, consented to receive "all communications from correspondents, and to publish the *Anti-Union* three times a week, so long as this fatal measure is in agitation."

The first number of the *Anti-Union*, 1798. Its motto is a quotation from the marriage ritual in the Protestant Prayer Book :

"If any of you know cause or just impediment why these two may not be lawfully joined together, let him now speak, or else hereafter forever hold his peace; this is the last time of asking. For be ye well assured that so many as are coupled together, otherwise than as God's Word doth allow, are not joined together by God, neither is their matrimony lawful."

The address "To the People of Ireland" says—"We are loyalists and constitutionalists; we are yeomen, still ready to spill our blood in defence of a limited monarchy, as the British connection. But we find ourselves bound by all our obligations to those principles, to resist a measure that would change a limited monarchy for a provincial viceroyalty, and the British connection for a slavish

annexation of our country to another, or which would precipitate us into an unnatural struggle for separation and perhaps finally destroy both nations."

"We are deeply convinced that there is no advantage promised by the measure of an incorporated union with England which an independent Irish Legislature is not fully competent to provide; that in the surrender of our distinct existence we gain little and give all; that the commercial advantage which may result is problematical; that for the little we may gain there can be no security; and that for National Independence there can be no earthly recompense."

It should be particularly remembered that this paper was written, supported, and edited by Protestants, squires, yeomen, and Orangemen, who were amongst the strongest opponents of the Union, as may be learned by the following historical resolutions:

"Orange Lodge, No. 882, at Newtownbarry, 16th Feb., 1800—Resolved—That Orangemen ought to come forward as Orangemen and Irishmen to declare their sentiments against a legislative Union, which now or at any other time would be of the most fatal and pernicious consequence to the real liberty of Ireland.

"EDMUND BEATTY, Master,

"WILLOUGHBY BUSTARD, Dep.,

"ALEXANDER M'CLAUGHRY, Sec."

"Lodges Nos. 780 and 785, Dublin, 11th March, 1800—Resolved—That the Constitution of 1782, under which our country has advanced to greatness with uncommon rapidity is that which, as Orangemen, we have sworn to defend, and will inviolably maintain. . . . and we are determined to co-operate with all our fellow-subjects in every legal and proper method to oppose so destructive a measure.

"J. CHARLES, Secretary."

Another from—

"Lodge 391, held at Wattle Bridge, County Fermanagh, 1st March, 1800—Resolved—That strongly attached to the Constitution of 1782, a settlement ratified in the most unequivocal manner, so far as the faith of nations is

binding, we should feel ourselves criminal were we to remain silent while an attempt is made to extinguish it. That, impressed with every loyal sentiment towards our gracious Sovereign, we trust that the measure of the legislative Union, which is contrary to the sense of all Orangemen and of the nation at large, will be relinquished.

“JOHN MOORE, Master.”

The Orangemen were much more pronounced than the Papists, for up to this time, 1800, the Catholic bishops had been neutral, fearing the consequences of any sign of life from their disfranchised, poverty-stricken flocks, who still suffered from the effects of a penal code worthy of Lucifer. The Protestant Corporations petitioned against Union. Drogheda declared it to be—“A measure which they conceive to be fraught with inevitable ruin to the trade and manufactures of Ireland by depriving them of the protection of a superintending resident Parliament, and placing them at the discretion of a foreign Parliament, where their true interests have never been and probably never can be understood, and where in any question of competition that may arise between the two countries, their interest will sink under the weight of superior numbers.

“Your petitioners, ever distinguished for their loyalty, zeal, and ardour in support of your Majesty’s Government, are prepared to shed the last drop of their blood in defence of Irish independence and British connection. They cannot conceive any one measure more likely to counteract the blessings they enjoy under that independence and that connection than an incorporate union of the two kingdoms, the tendency of which must be, in their humble opinion, separation.”

Time has proved the wisdom of those Corporators. The heavenly Castlereagh, with the peculiar effrontery of imported statesmen, by duplicity, lying, and hypocrisy, induced the Catholic bishops to preach against anti-Union movements. The Protestant patriots who could neither be bought nor hung were to be removed by duelling. The gentle Castlereagh invited some twenty noted duellists of the ministerialists, a club was formed,

every member was bound to "*call out*" any and every anti-Unionist expressing himself immoderately against the Government, the patriotic minority were to be shot down. Although in weak health, Grattan forestalled the governmental Carbonari by assuming the offensive. The bully Corry, having vehemently attacked Grattan, was challenged. Grattan insisted on fighting immediately. Leaving the debate, he winged his opponent in the Phoenix, so ending Castlereagh's assassination club, and defeated the idea of fighting down the opposition.

Ignorant people and deep-scheming hidden conspirators who talk of religious hate and endeavour to excite abhorrence to Home Rule by alarming the minority, should be reminded of the historical fact that in the old Irish sectarian Parliament the Protestant patriot members and the Protestant electorate jealously guarded the rights of Ireland as a nation. 700,000 electors petitioned against the measure, and only 7,000 for it. Irishmen of any creed, class, age, or position, must be safer legislators than alien absorbers. It is the old, old story—"divide and conquer." The religious bogey should not frighten sensible men. Fitzgerald, the Sheareses, Emmet, Grattan, Flood, Shiel, John Martin, John Mitchel, Butt—all differed from the majority of their countrymen in religion; yet those patriots laid down their lives or gave a lifetime to the service of Ireland.

CHAPTER XIX.

POISONED PARLIAMENTS.

"Where one commonwealth unites with another in such a manner, that one keeps its government and states, and the subjects of the other change their country, and are taken into the privileges and rights of a foreign commonwealth, it is evident that one is swallowed up and lost in the other."—PUFFENDORF.

FOR the last time the Irish Parliament met on Jan. 15th, 1800, to carry out the act of political turpitude planned by his saintship Castlereagh. The breath of nobility was blown over the bodies of twenty-seven salesmen willing to sell the fortunes of their country and the liberties of

their countrymen for what was termed title and honour. Those money-making machines and adorers of British gewgaws, disposed of national property to which they had no legal claim, so upon this pretence titular descendants have been honoured and paid for political swindling. Twenty-seven new peers had been added to the Lords, to the degradation of the peerage, so that the pure, undefiled Castle might reckon on a majority of three. Two of the Lords Spiritual only had the decency to prefer honesty to corruption, the vast majority being evidently swayed by the carnal desires which they had solemnly promised to war against by word and example. Obviously the Divine precept, "My kingdom is not of this world," had not penetrated the selfish hearts of the clerical assistants who sold their country's birthright for a mess of pottage. In the Commons fifty virtuous slaves were introduced as new borough members, all nominees of that wonderful vessel of light, the Castle, save and except Mr. Saurin, returned for Blessington, and Mr. Grattan, elected at the last moment for Wicklow.

It was not to members representing the mind of the Irish people that saintly Castlereagh addressed his bestial compliments when he congratulated the Commons of Ireland, on the 15th of January, 1800, on the improvement which had taken place in public opinion since the former session. Briefly, and without any of the details or guarantees so sternly demanded by a foreign centralistic press, the artistic Castlereagh sketched his plan of the Union. He bid high for commercial interests, and hypocritically hinted at Catholic emancipation. He further arranged an undertaking with the proprietors of rotten boroughs that their interests would be capitalised, and a good round sum given to buy them out. The gentleman was conscientious in villany. "Honour amongst thieves" was a governmental dogma at that pure period of West-British "unification." In amendment to this address, Sir Lawrence Ponsonby moved "that the House would maintain intact the constitution of '82." It was a vital subject; the war of eloquence waged all night—alas! the weapon of obstruction had not then been discovered.

Grattan was induced by his wife and friends to go to the House in his sickly, weak condition. He arrived at 7 a.m. on the 16th. Egan, an honest anti-Unionist, was praising the father of the Constitution of '82 when the latter appeared at the bar leaning on two friends, Arthur Moore and W. Ponsonby. Clad in Volunteer uniform, he advanced to the table, bowed to the Speaker, and took the oaths. After Egan had concluded speaking, Grattan addressed the House for two hours. He spoke with all his old fire of genius, coupled with almost the vigour of youth, and re-asserted his title to be considered the first Commoner of Ireland. After a discussion of eighteen hours the division was taken, when the result of the long recess was seen:—For the amendment, 96; for the address, 138. The Union majority was therefore 42.

On the 5th February, 1800, a formal message, proposing a basis of Union, was received from his Excellency the Lord Lieutenant, who was simply a salaried medium for carrying the decrees of British Ministers to the Irish Parliament, imprinting the post-mark of Viceroyalty on the envelope without interfering with the contents. This carry-and-fetch system is still put in force when weak or imbecile viceroys are appointed to manage Irish affairs. A "firm and gentle" Lord Lieutenant may be the most absolute and irresponsible despot tolerated in civilisation. *Esse quam videri* is not a classical maxim to be quoted in viceregal speeches or acted on by official varnishers. "Oh, what a goodly outside falsehood hath!" Personal qualifications have invariably succumbed to party necessity and the dire traditions of Lord Justice governments. So Irish viceroys are chosen by alien wirepullers to meet the temper of the times. The excellent proposal of his 1800 Excellency was debated for twenty hours; but again the division told for the Ministers—160 to 117, or a majority of 43 for the Union. Ministers have a method of using Parliament as a machine to register the mandates of a section without regard to the wishes or prosperity of the masses. Nothing commands continuous organisation, steady voting, constant attendance, and combined action like the power of patronage and the

leverage of money taken from the people to pay law manufacturers who in this instance destroyed their paymasters by illegal and unjust legislation. On the 17th the House went into committee on the proposed articles, and the Speaker, Foster, attacked Pitt's Union speech. But again the numerical majority mustered 161 to 140.

Finally, on March 25th the committee reported the resolutions, which were passed by 154 to 107—majority, 47. On the 7th June the final passage of the measure was expected. Barrington wrote:—"The day of extinguishing the liberties of Ireland had now arrived, and the sun took his last view of independent Ireland. He rose no more on a proud and prosperous nation. She was now condemned by the British Minister to renounce her rank amongst the States of Europe. She was sentenced to cancel her constitution, to disband her Commons, and disfranchise her nobility; to proclaim her incapacity and register her corruption in the records of the empire. The Speaker, Foster, was placed in a most distressing situation. An ardent enemy of the measure, he headed its opponents and resisted it with all the power of his mind, the resources of his experience, and the influence of character, position, and eloquence. It was fated that through his voice it was to be proclaimed and consummated. Resignation, his only alternative, would have been unavailing, and could have added nothing to his character. With grave dignity he presided over the last agony of the expiring Parliament. He held up the Bill for a moment in silence, then asked the usual question, to which the response 'ay' was languid but unmistakeable. Another pause ensued. Again his lips seemed to decline their office. At length, with an eye averted from the object which he hated, he proclaimed, with a subdued voice, 'the ayes have it.' For an instant he stood statue-like, then indignantly and in disgust flung the Bill upon the table and sunk into his chair with an exhausted spirit."

Ireland as a nation was legally murdered. Grattan subsequently declared: "It was a savage act, done by a set of assassins who were brought into the House to sell their country and themselves. They did not belong to

Ireland. Some were soldiers; all were slaves. Everything was shame and hurrying and base triumph." This declaration of an Irish Protestant patriot may be usefully studied by the Unionists who denounce such sentiments in the present generation as rank treason, veiled sedition, or open rebellion.

CHAPTER XX.

THE CRIME OF THE UNION.

"He who allows oppression shares the crime. The treason of the ministers against the liberties of the people was infinitely worse than the rebellion of the people against the ministers."—GRATTAN.

THE new emigrationist party ought to become acquainted with Irish history before they quit the country *en masse*, because "public opinion, which should be the breath of the law," demands the restoration of a native Parliament. The *quasi* loyal minority might likewise refresh their constitutional memories with the words of Saurin, afterwards Privy Councillor: "You made the Union binding as a law, but you cannot make it obligatory in conscience. It will be obeyed so long as England is strong, but resistance to it will be in the abstract a duty, and the exhibition of that resistance will be a mere question of prudence." And Bentham lays down: "If the law is good, it will support itself."

The machinery of brute force had been utilised by governmental rebellions. Legions of subsidised venal journalists had been salaried to suppress an effectual exposure of the rascally system pursued by governmentals. Unprincipled writers were hired by the gang to disseminate false doctrines, and mercenary spouters were paid by place, pay, and position, to oppose the patriots. By those flagitious means public opinion was corrupted outside a Parliament which at the best of times only represented a small minority of the Irish people. Within the House it was quite apparent that the very limited representation accorded by law was illegally defiled, tainted by bribery, and rotten with selfishness. The assembly was no longer

as a whole, the safeguard of even the dominant minority whom they did not honestly represent. Barrington says: "British clerks and officers were smuggled into Parliament to vote away the constitution of a country to which they were strangers, and in which they had neither interest or connection. They were employed to cancel the royal charter of the Irish nation, guaranteed by British Government, sanctioned by the British legislature, and unequivocally confirmed by the words, the signature, and the great seal of their monarch." This extract from a Protestant historian partly exposes the *modus operandi* of the law-and-order Unionists Anno Domini 1800.

It might be fairly questioned if those piratical Parliamentarians constituted a Parliament. It was mainly composed of nominees, place-holders, pocket-borough paupers, foreign importations, and alien officials, most of whom openly admitted having received bribes. The Lords were in almost a similar state of abominable defilement. Was this a representative constitutional body capable of binding a future generation pauperised, degraded, nearly exterminated by the effects of Union? Grattan said:—"Parliament is not the proprietor, but the trustee; the people are the proprietors, not the property. Parliament is called to make laws, *not* to elect law-makers. It is a body to exercise the functions of Parliament, not to choose or substitute another Parliament for the discharge of its own duties." The Irish Parliament was not legally competent to commit suicide. Locke declares the legislature cannot be arbitrary over the lives and fortunes of the people, "nor can it transfer the power of making laws to anybody else, or place it anywhere but where the people have." Again, he solemnly lays down: "The delivery into the subjection of a foreign power is a change of legislators, and, therefore, a dissolution of government." The Convention of England in 1688 laid down "That Parliament was simply ministerial—that its purpose was to fulfil the provisions of the contract between the nation and the government, *not* to break it; to act within the frame of the constitution, and not to dissolve it."

Jekyl urges that "Nations should recover those rights out of the hands of those who dispossessed them of them." Bolingbroke asserts: "A parliament cannot annul the constitution, the legislature is a supreme but not an arbitrary power." Junius wrote: "The King, Lords, and Commons are trustees, not owners of the estate; the fee-simple is in us." In view of those authorities the Irish people must be supposed to be a race of idiots incapable of reason or principle if they are expected to reverence and maintain illegal legislation carried by such unconstitutional representation, aided by force, fraud, and bribery.

Thus the nominal representatives of Ireland sold the nation's property, its rights, and liberties entrusted to their care, proving that any community which is content to have sovereignty exercised by incapable, non-elected, irresponsible, venal representatives abdicates its liberty. If such an assembly of mock deputies and bribed placemen are allowed to make laws, the people are no longer sovereign. This unconstitutional proceeding is diametrically opposed to the ancient democratic law which Tacitus explained clearly: "The chiefs deliberate on matters of small importance; the whole of the people on the others." However, it must never be forgotten that the Irish people, as a Catholic race, were entirely excluded from any representation in the Irish Parliament.

CHAPTER XXI.

VICTORY.

"To call into active political life the upper class of Irishmen and to enlarge the sphere of their political power—to give, in a word, to Ireland the greatest amount of Self-Government that is compatible with the unity and the security of the Empire—should be the aim of every statesman."—LECKY.

"Magnanimity in politics is not seldom the truest wisdom; and a great empire and little minds go ill together."—BURKE.

"Let your foundations be broad and firm, based upon the contentment and welfare of the people."—GORDON.

THE present movement is one to recover constitutional privileges and legislative rights, which were appropriated by imported chiefs and official garroters. That despotic unconstitutional fraud is adored as a sacred union by educated beings who imagine they know the meaning of words, and think they can read events, and even pretend to teach history, philosophy, and political economy. Such a race of thinkers would remind a reasonable person of Theebaw's followers, who would fain have kept the pestilential remains of their sacred white elephant until its putrefaction would destroy themselves. In like manner would certain law and order sophists breed a national plague by allowing the festering corpse of our white elephant, the Union, to continue its fatal course of decay and corruption until Ireland falls a victim to such insane immolating idolatry. Irishmen will never re-enact the penal laws; yet this pestilence is advocated, forsooth, because the Catholics would extirpate Protestantism, although the leader of the Irish race is a Protestant, and the most Catholic constituencies have elected M.P's who differ from them in religion. The poisonous doctrine of religious intolerance must be, however, beginning to lose its deadly effect when some of the Orangemen of Tyrone vote for as their member the courageous assailant of Dublin Castle morality.

Twenty years ago John Morley wrote:—"The English Government have sown the wind, and it reaped the whirlwind. With the sword and the bayonet we founded a Church in robbery and injustice; we set up an aristocracy on spoils torn from the natives, and we put into their hands a code of laws wicked enough to expel the last spark of virtue and benevolence from the nature of the very best man who should have to administer it or come within its sphere. If we reflect that this was the seed, we can barely wonder that the fruit has been and yet remains for us so passingly bitter."

Notwithstanding the disaster, disgrace, dissension, decimation and disaffection, entailed by brute force union, it is maintained by dominant minorities, through unconstitutional practices, illegal frauds, and false pretences. Jurisprudential references almost invariably prove that imported governmental Anglo-Norman or Saxon Parliamentarians and their successors in St. Stephen's, have not utilized the State as the organ of justice to protect the weak or aid the many. Selfish interested egotism has been the sole economic force of the ruling fraction, who have used the machinery of Government to enrich and privilege themselves at the expense of outside workers. Society is embroiled, and men are set at variance by misrepresentation, denial of past history and present facts. Calumny and detraction, all the offspring of an evil-thinking, unchristian spirit, sectarian animosity, racial hate, and class dissension, are appealed to by those who should remember that "charity thinketh no evil." Legislative independence is not a religious question. The present system of alien unsympathetic absorbing rule means inevitable extinction. In nearly every other portion of the British Empire Home Rule is the rule, except in Jamaica and India, where depopulation, famines, and mutiny proves its necessity as a safeguarding protection against the ever increasing selfishness of an insatiable alien bureaucracy, entrusted with expenditure, administration, and government, without accountability to the natives. Australia, New South Wales, New Zealand, Queensland, Tasmania, Victoria, Ontario, Quebec, Nova Scotia, Prince

Edward Island, Newfoundland, New Brunswick, British Columbia, Manitoba, Bahama, Bermudas, Barbadoes, British Guiana, Dominica, St. Kitt's, St. Vincent, Tobago, Nevis, Alderney, Isle of Man, Jersey, Guernsey, Malta, Honduras, Natal, Cape of Good Hope, Sierra Leone—over all the world native legislatures, except in Ireland, are really existing without destroying the integrity of the Empire. As Burke said concerning America:

“The proposition is peace. Not peace through the medium of war; not peace to be hunted through the labyrinth of intricate and endless negotiations; not peace to arise out of universal discord, fomented from principle, in all parts of the empire; not peace to depend on the juridical determination of perplexing questions or the precise marking the shadowy boundaries of a complex government. It is simple peace, sought in its natural course and in its ordinary haunts. It is peace sought in the spirit of peace, and laid in principles purely pacific.”

Irishmen are willing to grasp the friendly, willing hands of English and Scotch democrats.

Ireland, united and organised, is prepared to act up to the dictates of National duty. It is a question of life and death. Spread over the world, exiled through the mistaken cruel policy of alien Parliamentarians, her people, with money and sympathy, will aid the leader of the Irish race—Parnell. Under his skilful guidance, with a party of 86 members to move the pivot of legislation, sustained by firm unbroken unity, and generalised by tenacity of purpose, the Irish people will not be satisfied with anything less than a restitution of self-government, native legislation, and the re-establishment of Ireland a NATION.

It is Ireland's right recognised by an English statute—23 Geo. III., cap. 28, part of which remains unrepealed—“that the said RIGHT, claimed by the people of Ireland, to be bound only by laws enacted by his Majesty and the Parliament of Ireland, shall be, and is hereby declared to be, established and ascertained for ever, and shall at no time hereafter be questioned or questionable.”

Liberty should be common to every created being. Christ said: "*My service is perfect FREEDOM.*" Why should it be denied to ERIN, whose Christian children sing with the German Freiligrath ?

FREEDOM AND RIGHT.

" Oh ! think not she rests in the grave's chilly slumber,
 Not sheds o'er the present her glorious light,
 Since Tyranny's shackles the free soul encumber,
 And traitors accusing, deny to us Right !
 No ! whether to exile the faithful are wending,
 Or, weary of power that crushed them unending,
 In dungeons have perished, their veins madly rending,
 Yet freedom still liveth, and with her, the Right,
 Freedom and Right !

* * * * *

" And this is a trust : never made, as at present,
 The glad pair from battle to battle their flight ;
 Never breathed through the soul of the down-trodden peasant,
 Their spirits so deeply its promptings of light !
 They sweep o'er the earth with a tempest-like token ;
 From strand unto strand words of thunder are spoken ;
 Already the serf finds his manacles broken,
 And those of the negro are falling from sight ;
 Freedom and Right !

" Yes, everywhere wide is their war-banner waving,
 On the armies of wrong their revenge to requite ;
 The strength of Oppression they boldly are braving,
 And at last they will conquer, resistless in Might !
 Oh, God ! what a glorious wreath then appearing,
 Will blend every leaf in the banner they're wearing—
 The olive of Greece and the shamrock of Erin,
 And the oak-bough of Germany, greenest in light !
 Freedom and Right !"

THE END.

Gaylord Bros.
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Syracuse, N. Y.
PAT. JAN 21, 1908

